

Tevillas Keilim

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Shorthand/Kitzur Notes

The shorthand notes at the beginning of this document are a summary of the Piskei Halacha which come out of the limud below, leaving out most of the poskim and analysis, as well as details that are less likely to come up. **The comprehensive notes begin on page 7.**

Introduction

- I. We paskin tevillas keilim is a mitzvah mideoraisah for all metals. The acharonim assume that glass is only a חייב דרבנן.
- II. One should do hechsher before Tevillas keilim, and should tovel again without a bracha if one reversed the order.
- III. One needs a mikvah of 40 se'ah that is kasher for standard Tevilla. Rivers, streams, and oceans also work, but require research to ensure they meet the criteria of a kasher mikvah. One could use snow if there's a large snowfall, but only for glass keilim, and only if you can ensure all parts of the kli are touched at the same time.
- IV. One recites a bracha of על טבילת כלי for a single kli, and על טבילת כלים for multiple keilim.
 - A. One shouldn't speak after the bracha until all the keilim have been toveled. If one did so, they do not repeat the bracha.
 - B. If one has a kli they can't make a bracha on, it's ideal to tovel it along with another kli which *is* חייב, so that you can cover it with the bracha.

Issur Hishtamshus

- I. Prior to tovelling, it's אסור to utilize those keilim even a single time. The vast **majority of poskim**, and the gemara itself, imply this is an issur deoraisah. Although the **Beur Halacha** sides with the **Yeshuos Ya'akov** that the issur is דרבנן, this shouldn't be relied upon.
- II. If one is at someone's home who didn't tovel keilim, one should really tell his host that you need to use disposable keilim, etc. If it would lead to a kavod habriyos issue, it's still not פשוט there's a hetter, and a Rabbi should be consulted.
- III. If keilim that weren't toveled get mixed up with others, one should tovel everything *without* a bracha. Only if it would be a great tircha to do so can one be meikil.

How to Tovel?

- I. The entire kli has to go in at the same time, including the handles. You can't have a chatzitza on any part of the kli (including parts that aren't metal), so long as you'd want it removed at some point. One would have to redo the Tevilla with a bracha.
 - A. Ideally, we remove *everything*, including that which you aren't makpid about. If something like rust or the like can't be removed, one can leave it there if they don't plan on ever removing it.
 - B. If there's glue residue from the sticker, it's a chatzitza if it's in a place that you'd care.
 - C. You tovel the kli in its complete, usable state, and shouldn't take it apart before tevilla if those parts aren't normally separated. If they're normally removed, you can tovel just the metal parts.
- II. There are two ideal ways to tovel keilim to ensure they get fully submerged: Either keep the first hand in the mikvah empty, take the kli with the second and pass it into the first hand while under water, or let go of the kli for a moment and grab it again.
 - A. If the keilim are light, one can also use a basket. However, one should ideally dip the *entire* basket under the water so that the water above the basket connects with the rest of the mikvah, without having to connect through the holes of the basket.

Days We Can't Do Tevilla

- I. It's אסור to do Tevillas keilim on Shabbos or Yom Tov. However, one could do so during bein hashmashos going into those days.
- II. If one didn't tovel beforehand, one should give it to a goy and borrow it back.
- III. One can tovel keilim on Chol Hamo'ed

Children and non-Jews

- I. Fundamentally, children and non-Jews can tovel, as Kavanah mitzvah isn't necessary. However, a Jew needs to oversee the tevillah, as they aren't believed on their own to have been tovel.
 - A. One would obviously also have to teach them how to tovel properly in order for this to work.
 - B. See main notes for the halacha if one *didn't* have an adult oversee the Tevillah.
 - C. The **Taz** understands that doing Tevillah by a non-Jew is בדיעבד if a Jew won't be doing any of the keilim along with him (as you can't make a bracha), and **Chelkas Binyamin** and some others think that using *any* shaliach is בדיעבד due to מצוה בו יותר מבשלוcho.

Which Utensils Require Tevillah?

- I. The following materials require Tevillah mideoraisah, with a bracha: Gold, silver, copper, iron, tin, lead, and aluminum.
 - A. Alloys of metal which are majority from a חייב material are also חייב. This includes brass, stainless steel, and white gold.
- II. Glass requires Tevillah with a bracha, but only midrabanan according to most. The same is true for new types of glass, including pyrex, duralex, and corelle.
- III. The following materials are פטור entirely: Porcelain (even with a glass glaze on top), plastic, contemporary glazed china, CorningWare
- IV. Ceramic knives (made of zirconium dioxide, not actual ceramic) are likely פטור as well, but there's room to tovel them without a bracha.
- V. When an item that's פטור is coated with a material that's חייב: If it's coated on only the inside or outside (like a ceramic pot or pan for induction stovetops), it requires Tevillah *without* a bracha. If it's coated on both sides, it's חייב with a bracha.
- VI. If a pot or pan that would be חייב is coated with teflon, it requires Tevillah without a bracha.
- VII. Ma'amid and metal pieces as part of a kli:
 - A. If there's metal on the outside which doesn't make food contact, one can be meikil not to tovel at all, although others would say it requires Tevillah without a bracha.
 - B. If there's metal on the inside which *does* contact the food:
 1. If it's the ikar part of the kli (e.g. the metal of a peeler), it needs Tevillah with a bracha
 2. If the metal is **not** the ikar part of the kli and the kli could fully function without it (even if not as well), it needs no Tevillah whatsoever (e.g. metal at the end of a funnel, a handle of a ladle or handle of any standard kitchen kli with a plastic end)
 3. If the metal is **not** the ikar part of the kli, but **holds the kli together** (like screws on the inside of a kli that keep it together) it needs Tevillah with the bracha.
 4. If the metal is **not** the ikar part of the kli, and **the kli would stay in tact without it**, but would have a hole or be dysfunctional without it, one is tovel **without** a bracha. (E.g., the cover to a Contigo cap that has a metal spring: Assuming the water makes contact with it, the cap wouldn't fall apart without it, but it needs the spring in order to function. This would require Tevillah without a bracha)

Defining Klei Seudah

- I. Only that which is used for eating or drinking, or is used to prepare the food, is considered כלי סעודה such that Tevillas keilim is שייך.
 - A. As such, meat thermometers and meat scales are פטור.
 - B. There's a machlokes whether the heating element of a sous vide machine is considered a "kli" or just a source of heat. One should be tovel without a bracha.
- II. The item also has to come into direct contact with the food, such that crock pots, blechs, platos and the like are פטור. If it's only used on the peel/shell of a food (e.g., a nutcracker), it should be toveled without a bracha.

- A. Incidental contact is insufficient to be מחייב, which is why a can opener and bottle opener is פטור.
- B. A pot cover though is חייב with a bracha, since it helps in the cooking process, and connects to the zeiah.
- C. If you always use a very thin separation, like a layer of tin foil, **most poskim** say that main item is still חייב with a bracha, while **Rav Willig** is meikil.
- III. If it prepares items only in an early stage when they still aren't לאכילה (e.g. a grinder, mixer, butchering knife, etc.), the halachos are as follows:
 - A. if the item can be used for prepared items as well, such as chicken scissors and cookie cutters, all agree it should be toveled without a bracha.
 - B. If it's something that wouldn't ever be used for something ra'ui le'achilah, like a mixer, metal rolling pin, meat hammer, or whisk, one should לכתחילה be מחמיר to tovel the item without a bracha. However, in a שעה"ד, one can be meikil not to tovel it, so long as it's unusable.
- IV. If an item is used most of the time for a non-food purpose (or indirect food purpose that's not חייב in טבילה), but one wants to use it once for a food-related purpose, **most poskim** say that this it requires Tevilla before one uses it. One should tovel it without a bracha though, since it's a machlokes.
 - A. However, this is only for keilim that look like they could have been intended for a food purpose. For items that are clearly *not* intended for food use (e.g. a hammer, a standard pair of scissors, etc.), one can be meikil לכתחילה to use it for food as a one-off.
- V. Storage containers are a machlokes, but the evidence leans towards them being חייב and almost all poskim say to be tovel without a bracha.

Disposable Keilim

- I. Is there a heter not to tovel disposable aluminum pans? **Rav Moshe** is only meikil when a kli is physically incapable of being used many times, which likely doesn't help with most of our pans. **Minchas Yitzchak + Chelkas Ya'akov** are meikil so long as your da'as is not to use them multiple times. The minhag is certainly to be meikil like these latter poskim, but a) many poskim are מחמיר to be tovel without a bracha, so it's best to avoid this shailah if possible. b) One still can't reuse the kli.
- II. Disposable keilim that come with food inside (e.g., glass Starbucks bottles, soda cans):
 - A. The minhag is certainly lehakel to consume the contents normally, and various arguments are given for why this should be. One who wants to be mehader should have explicit da'as that they don't want to be koneh the kli from the goy.
 - B. If one buys from a Jew (such that da'as not to be koneh the kli won't help), one can be mafkir the kli or pour the contents into another cup first.
 - C. One cannot reuse the kli once one is finished consuming the contents. One would need to tovel it beforehand; however, one should do so without a bracha, as some poskim indeed say you're פטור.

Electric Keilim

- I. Many contemporary poskim are meikil that there's no requirement to tovel an item if it will break by doing so. Not all agree though.
 - A. Notably, most electric keilim (which don't have an LCD display) still *can* be toveled as long as they're left to dry afterwards for a week.
- II. If one is unwilling/unable to tovel an electric kli, there are three ideal options:
 - A. Have a Jew take it apart and put it back together
 - B. Give it to a goy and then borrow it (or ideally, rent it,) back from him permanently. We generally don't rely on that as a permanent solution, but one can when Tevilla isn't feasible.
 - C. Hefker in front of 3 is a last ditch kula we rely on only when there's really no other option

- III. When a kli has two parts – one in which the food sits and another where the electric components are (like with a Shabbos urn), Rav Moshe allows one to view it as two separate keilim and submerge just the section which will be contacting with the food.

Forms of Ownership That Are מחייב:

- I. One is מחייב specifically when a Jew buys a kli from a goy. If the Jew just borrows or rents it, it's not מחייב.
- II. If it was produced by a Jew, sold to a non-Jew in between, and then bought by a Jew again, it's מחייב in Tevilla with a Bracha.
- III. An item which is partially owned by both Jews and non-Jews is פטור from Tevilla.
- IV. If an item was originally owned jointly with non-Jews, and then it becomes owned solely by a Jew, it's מחייב with a bracha.
- V. An item created by a corporation with non-Jewish shareholders is מחייב with a bracha; the shareholders are considered the owners. Some poskim do tevilla without a bracha though.
- VI. A convert should tovel their keilim without a bracha. They can also choose to be makneh them to a Jew beforehand, and then tovel them prior to finishing their geirus.

Jewish Middle Man or Salesperson

- I. If Reuven buys a kli without tovelling, and sells it to Shimon, Shimon needs to Tovel.
- II. If Reuven had a kli he was using as כלי סעודה, and lends it to Shimon, Shimon needs to tovel before use. If Reuven was *not* using it for כלי סעודה but was selling them or using them for something else, Shimon needs to tovel all metal keilim without a bracha. He can be meikil on glass or with other sfeikos when there's a need.
- III. A restaurant owner's keilim require tevilla, although this is subject to machlokes.
- IV. If a Jewish-owned store is selling keilim, there's a discussion whether they can tovel them before making the sale. The evidence strongly leans towards this being ineffective, and the buyer would have to tovel again without a bracha. One could be meikil בדיעבד by glass.
- V. There's a further discussion whether someone who bought something to give as a *gift* can do Tevilla beforehand. Once again, one should be מחמיר on metal to tovel again, but one could be meikil by glass. There's more room to be lenient with a parent giving to a child who knows that they'll end up using the keilim themselves when they visit.
 - A. An eitzah to avoid this issue is to be makneh them to the recipient beforehand through someone else, and then you can certainly tovel them on that person's behalf.

Craftsmen Fixing Keilim and Jewish-Owned Factories

- I. When one sends a kli (e.g. a kiddush cup) to be fixed by a non-Jew, there are three permutations:
 - A. If the kli was still fully functional, even if he added additional metal, it doesn't require Tevilla at all.
 - B. If the kli was not functional, only if the kli itself had literally fallen apart *and* the goy had to add some of his own material would it require Tevilla with a bracha.
 - C. If the kli was not functional (e.g. there was a hole in it), but the kli itself wasn't falling apart, one will tovel without a bracha, regardless of whether the goy added metal.
- II. When Jews own a factory but there are non-Jewish workers (as is the case with most items with such hashgacha), the minhag is that people don't tovel those utensils. In truth, when the workers aren't paid for the job and not for their time – which appears to be the setup in most Chinese factories – the straightforward halacha is that you *do* need to do Tevilla without a bracha. There are still tzedadim lekula, but there's reason to be מחמיר as well.

Introduction

The Source of the Issur:

- I. One is חייב to tovel new keilim when they were owned by a goy and then transferred to Jewish possession. However, this is only when they're made from material that are חייב, and only when they're klei seudah which touch the food they interact with.
- II. Two Potential different Pesukim
 - A. **AZ 75b**: **(Bamidbar 31:23)**, כל דבר אשר יבוא באש תעבירו באש וטהר אך במי נדה יתחטא, which teaches you need a form of טהרה אחרת besides Hagalah.
 1. פשוט פשט: Need Tevilla for tumas Meis
 2. **AZ 75b**: The combo of וטהר and אך במי נדה teaches you the din of tevilas keilim in 40 se'ah and they're good immediately. Only כלי סעודה are חייב since the parsha is about kashering keilim [as evidenced by the fact that we're discussing "דברים אשר יבוא באש" (Rashi).]
 - a) **Rashi al haTorah**: משמע it's a drasha deoraisah, but he learns from different pesukim (see below)
 - b) **Ramban**: Noteh to say it's only an asmachta
 - B. וכל אשר לא יבוא באש תעבירו במים
 1. What's it talking about?
 - a) **Sifrei, Ramban**: Kashering. Wash off the non-kosher stuff
 - b) **Rashi**: Tevillas Keilim
- III. Deoraisah or דרבנן?
 - A. Deoraisah:
 1. **Rabbeinu Tam** in **Tosfos Yoma 78a** (limud that niddah needs tevilla from tevilas keilim)
 2. **Ra'avad + Rashba Toras Habayis Ha'aruch 125b** (that mashkanta goes lechumra since deoraisah)
 3. **Rashba 3:255 beda'as Harambam** says it's deoraisah. See **Bach 8** who asks how this can be based on below Rambam. He answers מפי השמועה is משמע that it's a מל"מ, and **Lechem Mishnah 17:5-6** thinks the said in the Rambam.
 - a) [The mekoros Vetziyunim in the Frankel notes **Rashba in Chiddushim** and **Toras Habayis 2:4** says Rambam thinks it's דרבנן! As such, **Kenesses Hagedolah** is magihah to make him say **Ra'avad**, while **Erech Hashulchan** is Magihah to say Ramban (unlike what Ramban writes עה"ת).
 - b) **Most acharonim** (see below) think that Rambam holds it's דרבנן.
 4. Modern poskim
 - a) Almost everyone assumes we're dealing with a mitzvah deoraisah by metals: Among them are **Shach, Taz, Gra, Chochmas Adam, Rav Moshe, Seridei Eish** and all those who are machmir by metals.
 - (1) This is based on most Rishonim, as well as that **SA 14** says a kattin isn't Ne'eman and his psak by Mashkon in Seif 9 that it's חייב misafek.
 - (2) See separate section below though that most poskim still think glass is דרבנן.
 - B. דרבנן:
 1. **Ramban Bamidbar 31:23, Or Zarua**
 2. **Rambam מאכ"א 17:6** according to **Ran, Maggid Mishnah, Rashba + Ritva in Chiddushim, Radvaz, Gra 120:23**.
 - a) A few diyukim this way: he paskin lekula in halacha 6 by mashkon, which is an איבעיא דלא איפשיטא.

- b) His language in halacha 5 is unclear, but it sounds like he's saying Vetaher is a remez to do Tevillas keilim.
 - c) In halacha 6, he says "לא חייבן בטבילה זו אלא כלי מתכות של סעודה וכו'." The language of לא חייבן implies they were מחייב him.
 - d) Likely, this is really what the Rambam refers to in many places as "מדברי סופרים," which might be deoraisah in some sense, but lema'aseh the safek goes lekula, so there's no real מינה נפקא.
 - 3. Similarly, **Sefer Hachinuch** doesn't count it as a mitzvah; משימער miderabanan.
 - 4. **[Radvaz** claims most rishonim say it's דרבנן, but that's not the pashtus.]
 - a) **Rav Ovadya in Yechaveh Da'as 4:44 + Yabia Omer 2:9:3** leans this way beda'as SA. See YO there for ra'ayas and discussion. Difficult.
 - 5. **Rav Schachter** said in Germany these dinnim were kept well, but in Poland/Lithuania, this mitzvah didn't have much mazal.
 - C. **Yeshuos Ya'akov 120:1 + Beir Halacha 323:7** think even the Rambam agrees the mitzvah of tevilla is deoraisah, but the issur to use it is only miderabanan. Rav Ovadya is **Yechaveh Da'as 4:44** agrees.
 - 1. *[However, **Rav Schachter** quoted the **Minchas Yitzchak** as thinking that the MB only held this way on Shabbos where you can't tovel the keilim. However, it seems pretty accepted in poskim like the Yeshu'os Ya'akov not like this Minchas Yitzchak.]*
- IV. Reason:
- A. **Yerushalmi AZ** quoted by **first BY 120, DM 1, + Taz 1**: It's like a geirus; bringing to kedushas yisrael requires tevilla.
 - 1. **BY** implies the פשט in 40 Se'ah is because it's like a giyur של גוי, and quotes the **Yerushalmi** as saying this.
 - 2. **Rav Moshe 3:21** Obviously isn't real tum'ah – goyim can't even become טמא, and there's no issur to use טמא keilim for chulin. Also, should apply to cheres and eitz then. Rather, this just means the opposite of kedusha – not the opposite of taharah.
 - B. **Avnei Nezer** based on **Ritva 75b כלי סעודה ד"ה** argues it's actually about מאכ"א, and comes from the fact that it was *designated* to be used for non-kosher. It lost its kedusha so needs to be spiritually raised.
 - 1. That's why **Ritva** says you need to kasher it before Tevilla (we'll discuss later)
 - 2. If one buys from a Chiloni, is it חייב in Tevilla? **Avnei Nezer YD 109** had such a chumrah (leshitaso about the reason for the din). However, **Chasam Sofer 15 here, Igros Moshe 3:4 (end), Tzitz Eliezer 8:20, YO 2:YD:9 + others** are meikil. Some say "תבא עליו ברכה" if he wants to, or the like (see **Shevet Halevi 6:245:3**)
 - C. Ra'ayos?
 - 1. **Rambam** puts it into hilchos ma'achalos assurios (perek 17). **Rav Lebowitz** called it a yetzer hara to do this. **Dr. Grach Soloveitchik**: You have to first establish that there's a better option for it to learn from.
 - a) As such, there's nothing to be medayek.
 - b) Similarly, **RAW** thinks you can't learn about the yesod of a din from where it's put. From a shiur I heard from him: "I realized [after many years of learning] that Rambam doesn't catalogue mitzvos based on their conceptual lomdus, but on their practical presentation/dinnim."
 - D. Some potential מינה נפקא:
 - 1. Can you do Hagalah first?
 - 2. **Chelkas Ya'akov's YD 41 + 43** better for Electrical appliances, and anything that's not mekabel tumah.
 - a) **Ramban al hatorah** calls this a gzeiras hakasuv, but then says it might be a דרבנן din.

- V. Is this a matir or a mitzvah?
- A. נפקא מינה if you have to do it right away (possibly).
1. One could argue that even if it's a mitzvah, it's only a mitzvah to do so once one wants to use it, so one can delay.
 - a) Regardless of the answer to this question, contemporary gedolim (quoted in **PT fn. 24**) advised to do Tevilla immediately after buying so you don't forget, although me'ikar hadin, this is fine (**Chasam Sofer Beitzah 18a + others**). If it will be longer than a day or two, should be mesamen it to remind yourself.
 2. **Rambam** uses the language of יותר, implying a hetter.
 - a) It's noteworthy that the sugya in **AZ 75b**, the **Rambam MA 17**'s presentation, and the **Tur** (who introduces this Siman with "הכשר כלים הנקחים מן הנכרים") all seem to view this as some form of hechsher keilim, and not an independent mitzvah. That's also the context of the drashos where these are learned from.
 3. **Tosfos Rid** calls it a "mitzvah midderabanan"
- B. If it's impossible to do tevilla, it might be מותר if it's a mitzvah, but not if it's a matir.
1. **Avnei Nezer** says this way.
 2. **RAW** paskined based on this that electric appliances that will surely break aren't חייב in tevillah. *Rav Schachter + Rav Heinemann paskin this way as well.*
- C. If I buy it from a goy and lend it to someone else, **Rema** says you can't use it even once bederech arai. [See **Pischei Teshuva 6** who disagrees with this.]
- D. Does it need a bracha?
1. **Rambam** says no leshitaso.
 2. **SA 3** paskins like **Tosfos + others** that there is a bracha. [This is true even for Tevila derabananans.]
- E. Do we say כול שאינו ראוי לבילה בילה מעכבת בו?
1. **Rav Schachter on Kiddushin 25b**: quoted a Shagas Aryeh who disagreed with a Rashbam. **Rashbam** learns that אינו ראוי לבילה means you're lacking the ingredients of the korban, which is passul. However, **Shagas Aryeh** argues that the issue is taking a pessul lechatchila, and then when you can't even fulfill it, it becomes such a strong pessul that it's a pessul bedieved.
 - a) [**Rav Schachter**'s lashon: "The mitzvah is so bedieved that it dies of malnutrition."]
 - b) Shagas Aryeh is particularly compelling by bikkurim and chalitza, etc., where there are no "ingredients" that missing them would be a pessul.

The Issur Hishtamshus

- I. **BY + Rema 16** based on all the Rishonim: Food is not אסור if you make it in keilim without tevilla.¹
- II. There's an issur hishtamshus though, as made clear by **Rambam 17:3**, **Tur (beginning) + others**. This is quoted by **Rema 8** that one can't use an item even a single time before tevilla.² What's the level of issur?
- A. **Yeshuos Ya'akov 120:1 + Beiur Halacha 323:7** think even the Rambam agrees the mitzvah of tevilla is deoraisah, but the issur to use it is only midderabanan.
1. The Yeshu'os Ya'akov says he has "many" ra'ayos to this, but the only one he shares is that the gemara has a הו"א that haza'ah on days 3 and 7 would be

¹ This is unlike the unique shitah of the **Or Zarua 293** (quoted by Rav Ovadya in **YO 2:YD:9**) that the food becomes treif if one didn't do Tevillas keilim.

² Cf. **Ra'avya**, quoted by **Avnei Nezer 418:11** who thinks it's just a mitzvah but no issur.

necessary for Tevillas keilim: If there's an issur hishtamshus mideoraisah, how could it be that לא אסרה תורה אלא קדירה בת יומא makes sense, if you could never use the klei midyan while it's ben yomo of their treifos? It must be there's no issur hishtamshus mideoraisah.

a) The simple דיחוי to this is that even though there's an issur hishtamshus, there's still an added chiddush of לא אסרה תורה וכו', that the *food* actually becomes אסור when it's ב"י, unlike what just about all the Rishonim say with respect to Tevillas Keilim. As such, even in the הו"א, there's a chiddush of לא אסרה תורה וכו'.

2. **Rav Ovadya is Yechaveh Da'as 4:44 + Minchas Yitzchak 1:44:4** paskin this way. Rav Ovadya is meikil because he calls this a sfeik sfeika (as maybe all of Tevillas keilim is דרבנן), and Minchas Yitzchak says we can trust Yeshu'os Ya'akov who says he has "many" ra'ayos to this. Neither have any other ra'ayos to this though.

B. **Pesakim Uteshuvos** notes that the issur being דרבנן is disputed and very questionable. Amongst those who think it's an issur deoraisah are the **PMG OC MZ 486, Chasam Sofer YD 114, Minchas Shlomo 2:66:14** from **Shagas Aryeh 56**. This is also clear earlier in **Shach 21** who thinks we need to be מחמיר on a say "באיסור דאורייתא." I've heard the same from **Rav Schachter** as well.

1. **Pesakim Uteshuvos** notes a fantastic ra'ayah this way from the gemara that makes a צריכותא and says "הערב שמש you would have otherwise thought you need to occur, so clearly there's an assumption that there's an issur deoraisah to use it before Tevillas keilim has been performed!"

2. **Sefer Tevillas Keilim 4 fn. 2** is also melaket a number of rishonim who are explicit that it's deoraisah, including the **Or Zaru'a** and the **Maharach Or Zaru'a**.

3. It's thus very difficult to rely on this Yeshuos Ya'akov + Beir Halacha that the issur hishtamshus is only דרבנן.

III. One can't feed a kattan on a kli that's not hutbal, and a father has a חיוב to stop him if he does (**Maharil Diskin KA 5:136 + Minchas Shlomo 2:66:18**)

Eating from keilim without Tevilla bish'as hadchak

I. **IM YD 3:22:** מותר to eat from the plate bish'as hadchak since it doesn't accomplish a necessary function; not OK with soup in bowl or liquids. Also, have to take food off plate with hands or utensil pattur from tevilla. Otherwise no hetter.

A. **Rav Schachter** thought this was a shver teshuvah.

II. **Rav Ovadya Yechaveh Da'as 4:44:** No hetter to eat from keilim of Jews who didn't do tevilla. **Chasam Sofer** says this way as well.

III. **Shu"t Beis Avi 1:116 (here) + Peninei Halacha bishmo:** One can be meikil bisha'as hadchak since you aren't borrowing them, but just *using* them, where we have no chiyuv. [**Rav Schachter** thought this doesn't help; even if you say it's the ba'al habayis' mitzvah, it's an issur of lifnei iver to use his keilim because you're causing him to be mevatel his mitzvah.] He has another snif that you aren't using the keilim since you could use disposable keilim. [Seemingly a shocking sevarah. **Rav Schachter** agreed.]

A. He also says the entire חיוב is only midderabanan at most, since the issur to eat from them is דרבנן like the Yeshuos Ya'akov, and the plates and bowls are porcelain or glass (he seems to be assuming you're using plastic forks and knives). Since it's a safek whether these were bought from a Jewish manufacturer, a safek on a דרבנן goes lekula.

B. [Rav Schachter thought the issur to use keilim is deoraisah, so none of this helps].

- IV. [Rav Kook in **Da'as Kohen 227**: By a mumar lechalel shabbos, since we hold he's a Jew but not a ben bris, and **Yerushalmi** says the goal is to bring it from non-Jewish to Jewish reshus. But this person has abandoned kedushas yisrael. As such, there's no problem to use those keilim without tevilla like borrowing from a nochri. He says we paskin like the Yerushalmi since Bavli never explicitly rejects this reason.]
- A. **Rav Lebowitz**: Poskim don't rely on this.
- V. See **Minchas Shlomo 2:62:8** above who is meikil by a restaurant since they wouldn't let you take the keilim to the mikvah, and it's thus like when you're a shutaf with a goy, that Tevilla is "impossible" and thus not required. **Minchas Yitzchak 1:44:3** has a similar idea. This may be a good hetter for a restaurant, but it also might be different that if you'd tell them the din, they'd be willing to tovel it, or allow you to do so.
- VI. **RSZA (quoted in Tevillas Keilim 3 n. 20)** is meikil to eat from food already placed on my plate, as I didn't put it there and am just slowly removing. This won't help you to take food yourself, and he also thinks you can't use cutlery when eating.
- VII. None of the poskim quote כבוד הבריות as a snif lehakel. **Rabbi Hoffman** online suggests relying on it, but admits it's against multiple rishonim and would be a novel hetter.
- A. We spoke with **Rav Schachter** about this and he said there's room to be meikil based on other senifim for glass keilim that are only חייב מiderabanan. There's no room to be meikil on metal keilim though.
1. Rather, you should educate the בעה"ב that there's an issur of tevillas keilim.
 2. He didn't think the issur is only דרבנן for keilim deoraisah. He said although the **MB** says it, he noted **Minchas Shlomo 2:62:2** explains that's only on Shabbos or when it's otherwise impossible to be tovel the keilim due to the issur דרבנן. Otherwise, you're being mevatel the mitzvas asseh, which is a din deoraisah.
 3. What about kavod habriyos? **Rav Schachter** said that it's not kavod habriyos to possibly offend a ba'al habayis. Kavod habriyos as a hetter is only when one's basic human dignity is at stake – he quoted this beshem **Rav Soloveitchik**.
 - a) I showed him **Rema in OC 13:3** who seems to be meikil based on kavod habriyos to carry a Tallis kattan in a karmelis despite that taking off the begged isn't such a bizayon. **MB** says that's the reason, but **Rav Schachter** suggested he would be half-naked without it. I also showed him same Rema is meikil to wear a Tallis gadol in shul that's פסול since he's embarrassed otherwise, and **Rav Schachter** said maybe that's only because many rishonim would say there's no issur whatsoever to wear a פסול Tallis on shabbos since it can't be fixed anyways (quoted a **Mordechai** based on **Tosfos Yevamos 90**).
 - b) Either way, once we reject the Yeshuos Ya'akov (as seems muchrach from the gemara), kavod habriyos still isn't docheh an issur deoraisah...
 4. Corporations is another senif lekula. **Rav Schachter** never says a bracha because of this, but the Minhag is we do.

The Tevilla Process

Hechsher first

- VIII. The pesukim say תעבירו באש וטהרו. Sounds like mikvah has to come after the תעבירו באש?
- A. **Rashbam + Rashba** think that one has to do be machshir a kli that needs kashering because otherwise the tevillas keilim is like טובל ושרץ בידו since it's still unusable until after kashering.
1. **Ritva's** reason that the tumah comes from the fact that it was designated to be used for non-kosher.
- B. **Ri + Rosh (Tosfos 75b)** disagree and say it's a gzeiras hakasuv to do tevilla and not a form of taharah, and furthermore, it's still useful בצונן

C. **Ran + others** recommend being לכתחילה מחמיר.

D. Lehalacha:

1. **SA 121:2**: paskins to be לכתחילה מחמיר, but it isn't me'akev. He quotes Rashbam as a א"י.
 - a) **Shach 5**: One should be tovel again without a bracha in this case.
 - b) **Pischei Teshuva** quotes those who paskin lechumra like Rashbam + Rashba entirely.
 - c) **Dagul Mirvavah though** has important chiddush that this is only when it's ben yomo, but when it isn't ב"י, it's fine since the food is really כשר bedieved. This basically gets rid of the problem.
- (1) **Rav Schachter** said we don't paskin like this לכתחילה, but recommend doing tevilla again without a bracha. **Chelkas Binyamin** says the same.

What type of mikvah?

I. How large?

A. 40 se'ah: The gemara learns from נדה + במי וטהר that you need 40 se'ah.

II. Is this true even for a Ma'ayan? **Smak** says a Ma'ayan doesn't suffice without 40 se'ah, despite that this works for כלים מטומאה טבילת. **Tur** disagrees and says "אין להחמיר בטבילה זו טפי מבטבילת טמאה דלא ידעינן להך אלא ממנה."

A. **BY** asks that this is hard to understand – it's a befeirush machlokes Rishonim in Siman 201, which Tur himself quotes, about whether the chiddush of מעין בכל שהוא applies to Tevillas Adam as well (**Rambam + Ra'avad**), or is only true for keilim (**Ri, Rabbeinu Tam + others**). If so, why isn't it obvious that Smak is just writing within the shitah that Ma'ayan requires ארבעים סאה for people? Leshitaso, **SA 120:1** paskins like the Smak that you always need 40 e'ah, and doesn't even quote the Tur as a א"י.

B. There are 4 approaches to explain the Tur's question on the Smak:

1. **Darchei Moshe** explains he means that the Tur was just asking "לשיטתך" to the **Smak** that he thinks מטומאה כלים טבילת can be done with a כול שהוא, so that should work for כלים חדשים טבילת as well.
 - a) This is very strange because מעין to be tovel keilim from Tum'ah is a befeirush gemara and everyone agrees to it, so what's the "leshitascha?" And if he means טבילה of a person, that's just as difficult since Tur quoted Smak explicitly as saying it works by a Ma'ayan for keilim! Tzarich iyun.
2. **Bach** gives a tough answer that the Smak (really the Rabbeinu Peretz in hagahos there) didn't need to give a whole long explanation for why we require 40 se'ah, but should have just said "the gemara says מי נידה and מי נידה requires 40 se'ah even for a Ma'ayan." As such, he must mean that even the **Rambam + Ra'avad** would be מחמיר here, despite that they think כול שהוא by a person.
3. **Bach #2**: See there for another (famous) answer that Bach has a chiddush that the din of אדם בינוני סאה by a Niddah is a din דרבנן, as that's the shiur of an אדם בינוני, and you really just need הגוף עולה בהן. However, for Tevillas keilim, there's no reason to assume they required a shiur of 40 se'ah, as there's no "average" kli, so there'd be no need to make a lo plug that you need 40 se'ah. As such, Tur is asking that there's no reason that Tevillas keilim should be more chamur than the din deoraisah by Tevillas Adam, and no reason to institute a דרבנן (see **Prishah 6** who spells this out, and seems to agree with **Bach** that 40 se'ah is a din דרבנן).
4. **Prishah 6** spells out that there's an alternative גירסא of "טומאה" and means that there's no reason that Tevillas Keilim should be more chamur than the din of Tevillas keilim from tum'ah. The chiddush then is that Tevillas keilim is really

patterned after טבילה מטומאה, despite that the drashos in AZ don't sound that way. However, this might be based on the lashon of "וטהר."

- a) **Taz 2** says this second פשט, and spells out how וטהר by Tevillas keilim mitum'ah is how we learn that you need water at all for the mitzvah of טבילת כלים. This is still a little dochak, since why is the Tur so bothered that Tevillas keilim shouldn't be more chamur than טבילה מטומאה, if it's already more chamur with respect to needing מ' סאה (unlike Tum'ah, which mideoraisah suffices with a revi'is)?! Taz himself notes this dochak, but says we should limit the chiddush of מ' סאה to a case of מקוה and not מעין, and then assume that מעין isn't more chamur than the source of the limud.

- III. Snow: **Chochmas Adam (quoted by PT 5)** says that although you can't be tovel in snow (per Rema 201:30 who says one needs to wait for it to melt), you can use snow to tovel glass, per the psak of **SA 30 there**, since glass is only דרבנן.
- A. One would have to ensure that there's enough snow to melt into 40 se'ah, and that the snow touches *all* parts of the glass kli.
- B. Rav Dovid Cohen **pgs. 32-34** notes that you need somewhere between 10-40 times as much snow as rain at the time of the snowfall to reach this amount, with the amount you need increasing as the temperature is lowered. However, the snow then begins to compact as it sits and melts, increasing its density in a way that isn't easily estimable. As such, you have to be certain there's a very large amount of contiguous snow before being able to tovel. As noted, you also have to make sure that all parts of the kli are being touched, which requires extra care.
- IV. Rivers, streams, and oceans: **Rav Dovid Cohen Pg. 26:** The ocean and most rivers are kasher, but there are many things that can פסול a man-made lake or stream. If the water is sourced from rainwater, from runoff from a sewage treatment plant, or was originally man-made and filled with she'uivin, It's passul. Have to look into the history of each stream independently. See [here](#) for more relevant details.

Bracha

- I. **Rambam** is quoted by the **Ritva** as thinking there's was no bracha. This isn't explicit, but might be because he presents it as just a form of hechsher keilim. However, we paskin in **SA 3** like **Tosfos + others** that there *is* a bracha.
- A. Because it's a machlokes about whether the bracha exists at all, poskim are very quick to recommend tevilla without a bracha.
- B. In fact, some apparently have a minhag never to make a bracha in case it wasn't owned by goyim (**Emek Hateshuva 5:67 וממילא ד'ה**). Teimanim apparently have such a minhag, and there's a shmuah that some in **Belz** do this also. The vast majority of poskim think it still needs to be done with a bracha.
- II. Nusach
- A. The standard psak: **Tur 3:** Al Tevillas keli or keilim depending on single or multiple. This is how **SA 3** paskins.
- Why is there a chiluk based on number of keilim here, unlike by other mitzvos (like mezuzah) where we keep the same nusach either way? **Rav Reisman** beshem **Rav Pam**: When you have a ma'aseh which you then repeat, you do in singular. But a mitzvah that can and often is done two at a time, you change the bracha. Brings a ra'ayah from **Mishnah Berurah 366:79** who says to say mitzvas eiruv when making an eiruv chatzeiros and eiruv tavshilin. [Tough ra'ayah since those are really two separate mitzvos.]
 - Minchas Shlomo 2:66:3** says on a kli and its cover, you still make a bracha of על טבילת כלי since it's essentially one kli.

3. When being tovel one vadai with a bracha and others misafek, you make a bracha of al Tevillas keilim in the plural (**Pri Chaddash 27**). One should be tovel that which is bevadai over a safek, and matachos before glass, per **PMG OC 8:AA:15** to be makdim the higher level.
- B. Other shitos: **Beis Yosef** quotes **Mordechai beshem Rashbam** that has other nuscha'os such as על הטבילה and על טבילת כלי מתכות.
 1. **Bach + Shach** quote a minhag to say טבילת כלי מתכות based on the assumption that brachos should be as mefurash as possible.
 2. However, **Taz** says to stick with Tur's nusach (ours), since you don't need to be anything more than the fundamental mitzvah. See Taz in hilchos challah and discussion there for a similar point the Taz makes for why you shouldn't say להפריש חלה מן העיסה.
 3. **ARUH 22 + others** are quoted as saying the minhag is always to say טבילת כלים (the Meiri already says this), but the vast majority of poskim say the minhag is like the SA to be mechalek.
 - a) בדיעבד, you're yotze with any of the brachos mentioned in Rishonim (**Pri Chaddash 11**)
- III. One shouldn't speak between the bracha and all the keilim. There's a diyun about whether doing so would necessitate another bracha (see **YD 19:5**), but lema'aseh, **MB 8:28** paskins not to in a similar context.
- IV. When you can't make a bracha, see **Shach 5 beshem Issur Vehetter (+ Tosfos 75b)** who says to ideally do with another kli which is חייב.
 - A. Why is this preferable? There's an issue mentioned in poskim to do a mitzvah without the birkas hamitzvah, based on **Tosefta Terumos 3:2** which assures someone naked from taking off terumah since he can't make a bracha. See **MB 323:36, Taz 17 here, Taz 668:1, Yerushalmi Brachos 6:1** (per Pnei Moshe) + **Pri Chaddash end of Siman 66**.

How to Tovel

- I. **PT 3 beshem Chochmas Adam**: Have to do it all in one go like by a niddah; can't do so lechatzain. Hagalah by kashrus is different since you just want to get rid of the taste; by tevilla, you need the tumah to leave at once or it spreads again.
- II. **Seif 12: Mordechai** — Have to be tovel the handles of the kli as well – nothing to do with use / belios as evidenced by the need to be tovel a brand new kli.
 - A. **SA 204:4** spells out that it's not chotzet unless one plans to remove it. One is supposed to tovel it in its complete, usable state and not to break it down into parts (**Minchas Yitzchak 3:77:3, Teshuvos Vehanhagos 1:450 + Har Tzvi YD 108**).
 1. An example of this would be that the blade of a pocketknife is supposed to be out, and not inside the casing.
 - B. In terms of electric keilim, it's noteworthy that you do *not* need to get the water inside the electric appliance but only inside where the food will touch; water just needs to touch the outside so that it has מים בכלול (See **PT fn. 428**).
 1. If it's normally taken apart (like a mixer), should tovel the metal alone (**Tashbetz Kattan 363, ARUH 18 + others**)
- III. **SA 2**: When doing Tevillas keilim, don't hold the kli tightly, since if you do so, it will be a chatzitzah. However, if you wet your hand first, **SA** says it will suffice. There's a discussion in the poskim about how wetting the kli works to ensure that the kli is touched on all sides.
 - A. As background, the **Mishnah in Mikva'os 8:5** says that if you hold on to a kli while doing Tevilla, it doesn't work, but "אם הדיח את ידו במים טהורים". There's a machlokes rishonim on top of that whether holding it ברפוי would suffice, or does not suffice,

based on how they read the rest of the Mishnah where R' Shimon says "ירפה ידיו כדי" שיבואו בהם המים. When does wetting one's hand help?

1. **Rema + Shach 7³** based on Mordechai says you have to wet your hand with mikvah water specifically, and not just that you wet it before sticking your hand in the mikvah.
 - a) See **Chelkas Binyamin 26** that this must mean to get your hand wet and keep it in the mikvah, since once you take it out, it becomes telushin. [Lichorah, this is muchrach. Cf. **Matteh Yehonasan** who thinks Rema meant you could even take your hand out of the water first, but that's hard to understand, as then the water becomes תלושין.]
 2. **Taz 4 + Divrei Chamudos Mikvaos 97** (quoted by **Shach 7**) disagree and think even מים תלושין works, so long as you don't tightly grip the kli, as they will be turned into מקור מי through Hashakah.⁴
 3. **Gra 8** rejects the Mordechai + Rema entirely and say that even תלושין will *always* work, and even when it's gripped בכח, as long as your hand was wet, hashaka will take effect and make this work.
- B. There's a separate issue that even if gripping loosely, if you didn't wet your hands beforehand, **Shach 6** thinks we should be concerned for the **Rambam Mikvaos 2:11 + other rishonim** who learn that there's a concern that one will grip too tightly and cause a chatzitzah.
1. **SA, Rema + Taz** aren't concerned about this, and the **Gra 6** explicitly rejects the Rambam's chumrah. **PT 5** also quotes acharonim who reject this concern, as we're only concerned by Niddah where messing up will be a potential issur kareis.
- C. Lehalacha (per **ARUH + CB 26**), one should ideally be מחמיר for the Rema to wet one's hands in the mikvah and keep them in there until you grab the kli with that hand. Also, one should grab the kli too tightly, since Taz thinks even then it wouldn't work. The CB by fn. 83 notes that it's best to completely let go of the kli for a moment and regrab it, since we don't know what's considered tight or loose, and Shach 36 thinks that the whole din of לחלוח ידו is a din בדיעבד. If this isn't possible, you can do as above to grab it while under the water, and hold loosely.
- IV. A he'arah about using a basket: In order for a mikvah to be kosher, it needs to have 40 se'ah. The gemara discusses how if you use a basket with holes throughout to split a mikvah in two, it will פסול the mikvah if neither side has 40 se'ah. In order to connect two parts of a mikvah, you need a hole which is כשפופרת הנוד (~5 cm diameter).
- A. However, **SA + Rema 201:52** paskin per the **Ra'avya** that if one of the two sides is a מקור שלם (i.e. 40+ seah) even after splitting it up, then both sides remain kosher. At the same time, Pischei Teshuva there quotes **Chacham Tzvi 40 + others** who disagreed with this psak, and thinks a basket would be a problem.
1. As such, when a mikvah makes a netting under the water so keilim don't fall down, **Shevet Halevi 8:205, Kovetz Teshuvos 4:117 + others** warn that they should make sure there's a large enough hole somewhere in the netting. Similarly, when using a basket, you should make sure that you dip it all the way into the mikvah so there's a connecting the waters on top.

³ See there. We didn't understand what he was saying/how he understood the Divrei Chamudos and how he learned differently.

⁴ See there. His argument is that when gripping normally, the waters will be turned into מקור מי through hashaka since there's a חיבור טוב then. However, if gripping tightly, there's still a Chibur but not a Chibur Tov, and therefore it needs to be mikveh waters. צ"ע what this chiluk is, as **Gra** asks.

- a) However, all this is just לכתחילה, and בדיעבד, we're meikil even if someone didn't do this, per the SA + Rema above. See **Minchas Shlomo 2:77:3 + Chazon Ish Mikva'os 9:3** (Tinyana) for more on this topic.
- V. The **Beis Yosef** here discusses the ability to be tovel one kli inside of the other and the ability to be tovel the inside of a kli which has an opening that's less than a כשפופרת הנוד.
- A. The many details are spelled out in **Rema 202:6 + SA 198:31** – see Pesakim Uteshuvos Os 10 for all the details. The basic yesodos are as follows:
1. One can be matbil a kli which has a very small opening as long as you make sure that it gets fully filled with water. This is based on a gemara in **Chagiga 22a**, per Rashi's פשט there.
 2. One cannot be matbil one kli within a bigger kli if the bigger kli doesn't have an opening כשפופרת הנוד (~5 cm diameter). However, if the outer kli is also חייב in Tevilla, then **Chagiga 22a** has an idea that so long as the inner kli becomes fully submerged, migo that the Tevilla worked for the outer kli, it will work for the inner kli as well.

Chatzitzos

- I. Chatzitza are a problem only midrabanan when not both מקפיד and רובו. On מיעוט שאינו מקפיד, it's muttar entirely (outside hilchos niddah).
- A. See **ARUH 202:3** that makpid follows what people generally feel; it's not subjective to the person himself. However, he's מחמיר as well if the ba'alim themselves are מחמיר, even if others aren't.
- II. Chatzitza on the outside or inside are both a problem. If it's in a beis hastarim, there's a machlokes, and **Rav Moshe YD 1:57 + Shevert Halevi 2:96** are meikil. Can't have a chatzitza on the plastic part/handle attached to the kli either, as you need ביאת כולו במים (**Darkei Teshuva 96** from **Da'as Kedoshim**).
- III. Rust:
- A. **Darchei Moshe 1: Mordechai** says you have to get rid of any rust before tevila. **Or zarua** says any bit of rust will be me'akev. However, Mordechai quotes a different Teshuva (**Kol Bo + Hagahos Maimoni**) that any rust that can't be removed is fine since it's a מקפיד שאינו מיעוט. **Maggid Mishnah** holds this way as well.
- B. **SA seif 13** paskins all this, and goes lekula on rust that can't be (easily) removed.
- C. It's noteworthy that the fact that rust is a problem is a drasha from חלודה – אך – להעביר חלודה. What's the point of the gzeiras hakasuv if it's just a simple, straightforward din in chatzitza? **Aviyam** suggested that since rust is really part of the kli itself, we needed a drasha to teach that we view rust as separate from the kli and therefore can constitute a chatzitza, and not a chelek of the kli itself.
- IV. Stickers will be a problem since you want to remove them; if on the bottom that you wouldn't care, it's a מקפיד שאינו מיעוט.
- V. Glue on the bottom of a kli after taking off sticker: **Rav Schachter** told me if it's on the bottom of the kli, it's a מקפיד שאינו מיעוט and not a problem.
- A. **Rema YD 188:1** has a chumrah by Tevillas Nashim that they should remove even chatzitzos that are מקפיד שאינו מיעוט. Does this minhag apply to tevillas keilim as well?
1. **R' Wiederblank**: I assumed it was just a chumrah by niddah. **Rav Schachter** told me this as well and **Chelkas Binyamin 113** is meikil on that shailah.
 2. In contrast, **Psakim Uteshuvos 50** is מחמיר, and notes that **Issur Vehetter 58:93** is explicit that לכתחילה we take off everything we can. **R' Dovid Cohen pg. 233** אלסו thinks that מקפיד שאינו מיעוט needs to be avoided לכתחילה, based on **SA 120:13's** lashon, as well as **Chochmas Adam 74:14** who says it's מותר to tovel specifically

when אינו יכול להעבירו. **Rav Willig** apparently thought the minhag applied to tevillas keilim as well.

Days We Can't Do Tevilla

- I. The gemara in **Beitza 17b** discusses why you can't do Tevilla from tum'ah (not Tevillas keilim) on Shabbos or Yom Tov, and has four opinions. The question is which of these reasons are ikar, and consequently whether it applies to Tevillas keilim as well, or is local to tevilla from Tum'ah.
 - A. **Rav Yosef** says it's a concern you'll do sechitah on the fabric you toveled, and **Rav Bibi** says it's a concern of שמא ישהה, that you'll delay doing it until Shabbos or Yom Tov, and mistakenly use the dishes with taharos before then.
 1. The **Beis Yosef OC 323:7** quotes **Rif + Rambam** hold like Rav Yosef and Rav Bibi such that there's no חיוב Tevillas keilim. [It's noteworthy they think Rav Bibi's concern doesn't apply to Tevillas Keilim – Yeshuos Yaaakov argues it's because they think the issur hishtamshus is only דרבנן. Others argue that it's because the consequences aren't so great, since it won't אסור anything בדיעבד.]
 - B. In contrast, **Rabbah** says the concern is שמא יעבירו and **Rava** says it's because of נראה כמתקן.
 1. **Rosh** and **Rashba** accept these shittos and therefore think that it's אסור in Tevillas keilim.
 - C. Lema'aseh, **SA 323:7** quotes both opinions in a way that indicates he thinks you *can* perform Tevillas keilim, but says a Yarei Shamayim should avoid the issue and be makneh them to a non-Jew. In contrast, **Darchei Moshe there** (cited by **MB 323:3**) thinks we are מחמיר on this me'ikar hadin.
 1. Surprisingly, here in **SA YD 16** makes it sound like it's אסור me'ikar hadin. See **Chochmas Adam 73:23** who thinks one can be meikil in a sha'as hadchak like the SA.
 2. Lema'aseh, we're מחמיר that we don't tovel on Shabbos or Yom Tov at all – see **MB 323:31-32**, and even for glass. [Cf. **Taz 323:5**.] However, one can do so with a bracha during bein hashmashos. See there.
- II. If one didn't tovel before shabbos, there are a couple options if one didn't do so and needs to use a kli:
 - A. They can give it to a goy and borrow it back (**SA 16's eitzah**):
 1. **Taz** says this will only work short-term, since after that, it's no less than נשתקע ביד ישראל in the mashkon case, so you'd need to tovel without a bracha. This is followed by many poskim, including **MB 323:35**.
 - B. **Rema 323:7** allows you to pretend you're dipping it to get water. However, **Toras Shabbos +, Chavos Yair on OC (Mekor Chaim) + ARUH OC 11** there say you can't do this, since nowadays no one goes to our mikvaos to get water.
- III. One can tovel keilim on Chol Hamoed if letzorech hamo'ed, and **Dvar Yehoshua 3:74, SSC 68:26 + others** are matir even when there's no tzorech hamo'ed so long as no great tircha to do so.

Kavana, Ketanim + Goyim

- I. **Seif 14 + 15**: Does Tevillas Keilim require Kavana? (נפקא מינה for Kattan and goy).
 - A. **Terumas Hadeshen** (by kattan) + **Teshuvos Harashba (Meyuchas Leramban)** [by goy]: Don't need kavana.
 1. Reasons:

- a) **Terumas Hadeshen 257:** [a] you can teach a kattan to have kavana,] b) Kavana isn't even necessary, since it's a gzeiras hakasuv, and not to matir an issur, unlike by Niddah.
- b) **Rashba 3:255:** We paskin lekula by a niddah that she doesn't require kavana.
 - (1) **Bach:** Rashba says no kavana is necessary because he holds that a niddah doesn't require kavanat tevilla. Since we hold the opposite, Kavana is necessary for tevilla!
 - (2) **Taz 17 + Shach 28** both point out the **Rashba himself in Chullin 31b** sounds like we *do* require kavana by tevillas niddah, like the shitah of R' Yochanan. (This is based on how BY quotes the Rashba in Siman 198.) Rather, his reasoning must have been the same as the Terumas Hadeshen, and therefore a kattan or goy *is* able to do Tevillas keilim. Similarly, if the kli falls in, you *don't* need to tovel again.
 - (3) In contrast, **Gra 38** rejects the Shach's read, and says the reason we're meikil is because we really paskin like Rav that a Niddah does *not* require Kavana for Tevilla. He notes the BY's read of the Rashba isn't muchrach, and even in his chiddushim in AZ, he might be bowing his head to the Rambam who paskins א"צ טבילה.
 - (a) [It's noteworthy that **Rema end of Siman 198** paskins that we *do* require Kavana לכתחילה, like the Shitah of R' Yochanan, and the Gra just explains that's the opinion of most poskim. It's surprising he says here with such certainty that we paskin like Rav.]
- 2. **SA 15 + Rema 14** paskin lekula that the Tevilla of a kattan and goy can work in theory – although see below that you need to be overseeing/watching them due to lack of ne'emanus.
- II. There's a second issue that even if they're technically able to be tovel, a goy has no ne'emanus about what they did. As such, **Rema 15** paskins that you have to see them do it in order to trust that it worked. For a Kattan as well, **Rashba + SA 14** paskin he's not Ne'eman. What's the klal about a kattan's ne'emanus?
 - A. **Kesubos 28a:** They're only Ne'eman about handwriting of a shtar, their status, etc. *once they get older*, and only because it's דרבנן. However, **Pesachim 4a** says they're believed if they say they did bedikas chametz because it's derabanan. So what's the rule?
 - 1. **Beur HaGra 36** explains he's Ne'eman on derabananans when they're beyado. Here, it's beyado to be tovel the item, so if we hold דרבנן, he's believed; if deoraisah, he's not believed. **Shach, Gra, + others** all explain that because we paskin tevillas keilim is deoraisah, we paskin he's not ne'eman.
 - 2. If a kattan says he did it but you didn't oversee it, tovel again but without a bracha (**Tevillas Keilim 8:1**) since we're choshesh lechumra that he does have ne'emanus. Similarly, if a goy says he did it and you believe him, we're also choshesh lechumrah not to make a bracha the second time (**CB 120:128**, based on **SA YD 16:11 + Shach 24**)
 - B. What about glass?
 - 1. **RAE** argues that they *would* be Ne'eman since everyone agrees that's דרבנן. [He then points out **Tosfos Eiruvin 31b** is משמע they aren't believed even on דרבנן if it's something that won't benefit/impact them. Here, they don't really gain anything, so maybe not believed.]
 - 2. Lema'aseh, most poskim are meikil since it's only דרבנן (**RAE** based on **Terumas Hadeshen, MA 437:8 + MB 17** there, as well as **R' Yitzchak Elchanan Spektor** quoted in **שו"ת זכר שמחה ק"ג**).

- a) **RAE's** he'arah that **Tosfos** thinks they're only Ne'eman if the kli is theirs isn't followed by poskim here or **MB in Sha'ar Haytziyun 437:19**.
3. **Pischei Teshuva 14 beshem PMG** thinks it wouldn't work since there's a chezkas issur, and he thinks a kattán is only believed on a דרבנן when there's no איסור. If he's 13, **PT** argues you can believe him even if you don't know he has שערות. In fact, you can believe him even for metal keilim since it's not such a chamur mitzvah, as there's no issur to eat from keilim which have not been הוטבלו.
- a) We had trouble understanding this sevara – why does an issur בדיעבד tell you the mitzvah itself is more kal? I then saw the **Amudei Or (end of 59)** disagrees in a letter he sent to the author of the Pischei Teshuva.
- b) **R' Yitzchok Elchonon** quoted in **Zecher Simcha 103** (quoted by **Rav Ovadiah in YO YD 7:9**) discusses why there's a chiluk between deoriasahs and derabanans for חזקה דרבנא if we rely on chazakos by deoraisahs also. The **PMG AA 55:7** says it's because we have a mi'ut hamatzui which don't have שערות, so are מחמיר by deoraisahs. He explains that really you have a asfeik sfeika, since maybe Tevillas keilim entirely is דרבנן, and maybe he has שערות. The sfeik sfeika though is against a chazaka that the item is אסור. To this, he makes his second point that the Pischei Teshuvam leans that although there's a chazaka that Tevilla wasn't done, there's no chezkas issur and therefore we can rely on the Chazaka Derava. (In truth, he doesn't think this is what the PT was saying, but notes his sevara is similar to that of the PT) **R' Yitzchok Elchonon, Rav Ovadiah** and **Pischei Teshuva** accepted this, but PMG doesn't agree, and it **R' Dovid Cohen pg. 197** says it seems most poskim don't follow this.
4. **Taz in hilchos shechitah** asks how we trust ketanim to go ask a shailah on treifos and relay it back to the parent/sho'el. **Darkei Teshuva** is meikil since there's a mirtas lest the parent ask the Rav/speak to him. **Some poskim** say that as long you get the kattán to commit to doing it in front of a specific gadol, that will suffice, since there's a מירתת that you'll ask that adult and the kattán would be found to be a liar.
- III. Is sending a kattán or goy to do Tevilla good לכתחילה? **SA 15 + Rema 14's** לשון implies that doing so is bedieved. Why? **Taz 17** explains that using a goy is בדיעבד because you lose the opportunity to make the bracha on Tevillas keilim.⁵ [He doesn't consider any problems with sending a child.] However, if you tovel some of the keilim along with him, it's not בדיעבד because you're still able to make the bracha yourself.
- A. It's a fascinating idea that there's an ענין to say a bracha if possible, even if just by someone. Especially here (unlike a case of safek brachos), you're not doing anything wrong if no one makes a bracha, since that's just the din. See **Miknah Kiddushin 29a** who brings a ra'ayah to this concept from the fact that an llem shouldn't be a shochet לכתחילה since then he can't say a bracha.
- B. In contrast, **Chelkas Binyamin Beiurim** argues the issue isn't because of a lack of a bracha, but because of מבטלות. Especially when a goy does it where you don't even have shlichus, you're giving up your mitzvah by sending him. **Arugas Habosem YD 122** similarly has the sevara that you're losing the mitzvah, and **Da'as Kedoshim + some others** (quoted in PT fn. 477) recommend doing it yourself due to מבטלות, although the **major poskim** on the page seem to think this is fine.

⁵ **Pri Chaddash 40** thinks a yid can make a bracha when the goy does it also, and **Sefas Emes 15** agreed. **Most poskim** follow Taz though that he can't, including **SA HaRav 263:3 + Darkei Teshuva 106** from **Chikrei Lev**.

1. It seems Taz thinks the mitzvah is just to make sure the kli is toveled and not to do the ma'aseh Tevilla. This might be תלוי on whether Tevillas keilim is a mitzvah or a matir.

Which Utensils Require Tevilla

Materials

- I. 6 Metals (gold, silver, copper, iron, tin, and lead) are mentioned explicitly: מידעוראסאח
- II. Glass

A. **AZ 75b** says explicitly that you're חייב since it's like metal in that if it's broken, it can be fixed by heating it.⁶ **R' Dovid Cohen (pg. 10+)** notes that one couldn't just put it in the oven to fix it, but needs to be melted down professionally and fused by a glass-maker, since glass shatters unless it's evenly and slowly heated. **Rashi on the gemara** spells this out that it's כלי להעשות ולעשות כלי – it sounds like you first need to melt it down before you can recreate it.

B. Is the דרבנן or מידעוראסאח חייב?

1. Most acharonim assume that this is a מידעוראסאח, and not מידעוראסאח.

Amongst them are the **Pri Chaddash 3, Shagas Aryeh 56, Pri Toar 2, PMG OC 451:MZ:6+31, RAE 14, PT 14 + Chochmas Adam 73:1**.

a) The main push for this approach is that the gemara in **Shabbos 16a** says they were mesaken that glass can be mekabel tum'ah on the inside since it's like חרס. They then expanded the tum'ah to the outside as well, since it seems all like one surface since you can see from the outside to the inside. It sounds from that gemara that it's fundamentally more like חרס than metal, so it's hard to understand how it could be like metal מידעוראסאח for Tevillas keilim.

2. However, the **Ma'amar Mordechai 323:8** argues that for all the major rishonim, tevillas keilim is either דרבנן or מידעוראסאח, but there's no reason to distinguish between glass and metals. Since SA paskins in multiple places that Tevilla in general is מידעוראסאח, the same should be true for glass.

a) From the vast majority of Rishonim, it seems his argument is correct. However, **Rav Ovadya** paskins it's דרבנן and shows proof to this from **Sefer Hayashar 677**, the **Sefer Ha'eshkol**,⁸ and the **Meiri** who might imply this way.

C. Fundamentally, what is the halachic status of glass? Its own thing or a type of metal?

1. **Issur Vehetter 58:50**⁹ quotes **Rav Hai Gaon** who says because we aren't sure whether to treat glass like metal or חרס, we go lechumra in all directions, such that hagalah won't work, but it still requires Tevilla.

⁶ This is unlike חרס which undergoes chemical and structural changes after it's originally heated, including that the carbon and sulfur burn off, chemically bonded water boils off, the crystalline structure changes. There is also sintering (fusing of different parts) and vitrification (formation of aluminim silicate) which occurs with חרס, rendering it unable to ever be remade.

⁷ והדעת נוטה לתרץ דהתם לחומרא קאמר דגזרו עליהם למהוי ככלי חרס ואין להם תקנה בטבילה אלא בשבירה הואיל ודמו לכלי חרס וה"נ שוויהו רבנן ככלי מתכות דדמו אהדי וצריכין טבילה

⁸ This comment is only found in the Aurbach edition, which makes it very questionable.

⁹ נ. ופי' רב האי גאון וכלי עצים המחופין בסממנים הרי הן ככלי חרש ואינו יוצא מידי דופיו לעולם. ולא מהני ליה שום הכשר. וכלי זכוכית ספק הוא אם ממין חרס הואיל ונעשה ממיני אדמה או אם הוא ממיני מתכת הואיל ויש תקנה לשבריו. והילכתא נותנין עליו חומרא זו וזו ואסור בהגעלה וצריך טבילה.

- a) It's surprising that he a) doesn't quote our gemara, and b) that it sounds like the חיוב is Mita'am safek.
 - b) There was a minhag since the times of Rishonim (until today) that poskim are upset about that people wouldn't make a bracha on glass (see **Meiri 75b** who mentions such an opinion). At first glance, the above איסור והיתר is a sevara for where that minhag developed. However, he himself (in an earlier os) says that you do tevilla with a bracha on glass!
 - c) **Teshuvos Vehanhagos 2:409** tries to defend what he heard is the old minhag in Chutz La'aretz that people don't make a bracha, but says the minhag now is to do so. His main defense is that when you buy an item, it says the manufacturer, and you never really know that it's not owned by Jews unless you do a lot of research. Because there are fully-Jewish companies, it's considered kavu'a, and קבוע כמחצה על מחצה such that we should be choshesh at least not to make a bracha on a safek דרבנן. He notes that Chazon Ish thinks kavu'a means it has to be easily determined that the Jew is in the group, in which case, this isn't a tzad lehakel, but says that since it's subject to machlokes (as **Chavos Da'as 110:35** has a more expansive definition), some are נוהג not to make a bracha. By a deoraisah kli (i.e. metal), the tzadim lehakel are insufficient to not make a bracha, since we'd anyways say לחומרא 'ספק דאור', which some say suffices to make a bracha.
2. As an aside, it's noteworthy that the **Issur Veheter** seems to assume glass must be like חרס or מתכת, and not an independent category. The gemara in **Shabbos ibid.** sounds the opposite that really it's neither חרס or מתכת, and any kabbalas tum'ah is only midrabanan.
 3. There's a third potential shitah found in **Rashi RH 19b¹⁰**, who discusses a case of a glass kli with a lead (אבר) filling. The Chachamim think it's tahor, and Rashi explains that *although glass is really metal*, only those metals mentioned in the parsha of klei midyan are able to become טמא mideoraisah.
 - a) This is noteworthy since then even if glass *is* like metal, lichorah Rashi would say Tevillas keilim on glass is דרבנן, and the same should be true for other metals.
 - b) I then saw that the **Rashash there** says this way, but then backs off and says it's impossible to say, because **Menachos 28b** is marbeh that all metals can be used to build the Menorah, and then says this excludes wood, bone, and glass! **Rambam Beis Habechira 1:18¹¹** paskins this way. If so, you see clearly from the gemara that glass is *not* a form of metal!
- III. Alloys of metals mentioned in the Torah
- A. We have many different materials which are alloys (metals made by combining 2+ metallic elements) of metals that are mixed with other metals or non-metals. **The poskim** are mostly silent about these, and all assume that you need Tevilla with a bracha. The poskim *do* say that we follow Rov when something is made from a mixture of metals – see **Zer Zahav on Issur Veheter 58:22**, **Minchas Yitzchak 4:114** + **Shevet Halevi 4:91**.

¹⁰ יהודה בן שמוע מטמאן טומאת כלי מתכות דאורייתא אם נגע בהן טומאה דהכל הולך אחר המעמיד וחכמים מטהרים מטומאת כלי מתכות דאורייתא אלא משום טומאת כלי זכוכית דרבנן שאין כלי מתכות טמאין דאורייתא אלא המנויין בפרשה (במדבר לא) הזהב והכסף והנחשת והברזל וגו'

¹¹ [יח] המנורה וכליה, והשולחן וכליו, ומזבח הקטורת וכל כלי השרת--אין עושין אותן אלא מן המתכת בלבד; ואם עשו אותם של עץ או עצם או אבן או של זכוכית, פסולין.

- B. A few examples:
1. Brass: 65-90% Copper,
 2. stainless steel: 75+% iron, mixed with chromium.
 3. White gold 18 + 14 karat is 75% or 58% gold mixed with nickel, palladium, zinc, or rhodium mixed in.
- IV. Aluminum + other metals not mentioned in the Torah. Here, you have a metal like aluminum, which no one had in the times of the Torah, and isn't an alloy of one of the above?
- A. See below that many metals are just alloys of one type of metal that's חייב with a bit of other metal or material (like carbon) combined.
- B. **Tifferes Yisrael**¹² beginning of **Taharos (Kuntress Yevakesh Da'as Os 44)** quotes **Gra** (in **Eliyahu Rabbah Hakdamah to Klalei Tum'os**) as saying only 6 metals. **Tifferes Yisrael** says he lived before we found new metals, such as aluminum, but rather כל הנרקע בפטיש רקועי פחים נקרא מתכות. He thinks Gra might agree. [Note this is written regarding tum'ah and tahara, and not regarding כלים טבילת כלים.]
1. **ARUH 23** similarly writes that all metals are חייב mideoraisah, but without going into the reasoning.
- C. **Emes Leya'akov YD here** disagrees. Where did the Tifferes Yisrael get this definition of metal from? The פשוט פשוט is that Mateches (which isn't written in the Torah) comes from the lashon ניתך, i.e. to pour. It's for this reason that in fact glass is like metal! But you see that only the 6 metals are mekabel tumah mideoraisah based on לשון of pesukim in the Torah that it didn't say "מתכות", against the Tifferes Yisrael. For Tevillas keilim though, he thinks like Rav Moshe that even that which isn't mekabel tum'ah might be חייב in Tevilla מדרבנן so long as it's able to be fixed when broken. However, he hedges that maybe this is only when it's also שייך to tum'ah in some sense. He paskins Tevilla without bracha in the footnote.
1. **Teshuvos Vehanhagos 1:451** quotes this, and then argues that if tevillas keilim is deoraisah, it's pattur since only those specific metals are mentioned by the Torah. However, if tevillas keilim is derabanan, Chazal themselves included the metals, and presumably included all metals, in which case it's chayav. [counter-intuitive that deoraisah leads to a kula.]
- D. **Rav Moshe IM YD 3:22**: Glass is fundamentally like metal, since it's melted and poured, but isn't mekabel tum'ah automatically until a takana was made. Consequently, all metals, like aluminum, are also not חייב mideoraisah in Tevilla. He explains that mideoraisah, only the 6 metals are included, since הקב"ה could have used a more general לשון than listing those six levels. However, it's חייב miderabanan like glass since it can be smelted. [With a bracha.]
1. **Rav Schachter**: Minhag ha'olam is with a bracha. [See below though by plastic and that we're seemingly inconsistent.] **Rav Willig** thought that aluminum was fundamentally just metal, and therefore חייב mideoraisah, which gets around this problem. R' Dovid Cohen notes that it may be all metals are included, or that they're all subsumed in the metals mentioned in the Torah.

¹² תפארת ישראל יבקש דעת

מד. כלי כולל כל כלי העשוי מט' מינין, מתכות, עץ, עור, עצם, בגד, שק, חרס, נתר, זכוכית. אמנם מתכת כולל ו' מינים, זהב, כסף, נחושת, ברזל, בדיל, ועופרת. [כך כ' רב"א זצוק"ל. ולפע"ד זה לא דוקא דהרי בעתים הללו מצאו הטבעיי כמה מיני מתכות חדשים שלא שערום אבותינו. והגם ש"ל שהם כולן בכלל אלו הו' מינים שזכר הגאון זצוק"ל, עכ"פ צ"ל ששם שמות של מתכות הנ"ל הן לאו דוקא, אלא כל הנרקע בפטיש רקועי פחים נקרא מתכות].

- a) Either way, it actually seems that the Torah's definition of metals is *not* that it's pourable (despite the linguistic connection), as is clear from the **Gemara in Menachos above** that the Menorah can't be made from this material. Once that's the case, it seems most logical to define metals the way the **Tifferes Yisrael** says, which supports **Rav Willig's** psak.
- V. Porcelain (a ceramic that mimics glass; there's no glass though)
- A. **PT 2 quotes Ya'avetz 1:67** that it's unnecessary since it isn't a metal, but a form of חרס. The fact that it's smooth is irrelevant since even glass is only חייב since you can heat it to rebuild it, but not because of smoothness. Since porcelain can't be fixed in a kiln, it's פטור entirely. [See there that he goes on to quote the **Chacham Tzvi** as thinking it's not bole'a either, despite that it's חרס, since it's still so smooth.]
1. It's noteworthy that most porcelain dishes and cups are glazed with a very thin glass (besides the bottom/feet of the dish). As such, some are נזהג to tovel them without a bracha (**ARUH 29, Rav Elyashiv** quoted in Kuntress Tevillas Keilim 4 + others). Per the above Rav Moshe though, our poskim would be meikil that these don't need tevilla at all either. **RSZA** is quoted (in Pesakim Uteshuvos) as being meikil also (see **Minchas Shlomo 2:66:5**). I asked **Rav Sobolofsky** who told me it's pattur as well.
- VI. Plastic: **Minchas Yitzchak 3:76-78** is מחמיר since it can be melted down and reconstituted; **others** say the same. They bring a ra'ayah to this from **Darkei Teshuva 14** from **Ohel Avraham** that if you have a bone kli that can be melted down and reconstituted, it's חייב miderabanan.
- A. However, many disagree, partially because the metzius is not always this way. **OU** website explains that most plastics can't be exposed to direct heat and would burn, rather than be reconstituted. Online: There's a fundamental difference between thermoplastics (which can be melted and remolded) and thermosetting plastics (which cannot, and will burn and release toxic fumes).
1. Plastic Bottles and jugs are generally thermoplastics which can be melted. Thicker plastics like plastic utensils are generally thermosetting plastics and cannot be reconstituted.
- B. **Rav Moshe** (quoted in לתורה והוראה 1:11) was meikil as was the **Chazon Ish (Orchos Rabbeinu 3:85)**, **Chelkas Yaakov YD 45**, **Be'er Moshe 2:53**, **Tzitz Eliezer 7:37**, **YO 4:YD:8 + others**.
1. The sevaros that almost all of them give is that we can't add to the גזירה if they weren't gozer, and it's not actually glass. Others throw in that it's not mekabel tum'ah.
2. The big issue with all this is that we're seemingly inconsistent, as by aluminum, poskim say to tovel it (with a bracha)! Why the distinction? Rav Moshe in **Letorah V'hora'ah 2:42** argues tevilla is needed only on aluminum that's more like metal, but not plastic. This is difficult though, since where did such a sevara come from?
- a) It seems the most mistaber פשט to align with the minhag ha'olam is to say like **Rav Willig** that aluminum is חייב mideoraisah because it's a type of metal, in line with the **Tifferes Yisrael** that כל רקועי פחים is metal deoraisah. As noted, this is supported by the gemara in **Menachos** saying that glass is excluded from the category of metals. In terms of plastic, we'd say the din דרבנן that was applied to glass isn't a flexible din, but was a גזירה just on glass alone, even if other materials might mimic the fact that they're אפטר בתקנה.
- VII. Glazed China (i.e. porcelain or bone china with a glass coating)
- A. See below that there's an entire discussion in the **Gemara 75b, Rishonim, SA 1 + acharonim** there about a kli חרס that's covered in metal. The **Shach 2** says the same is

true for glass as well. Furthermore, **RAE on Shach 4** quotes **PMG 451:MZ:31** that we don't *make a bracha* on "גלזירט," which is some sort of glass glaze.

1. It still sounds like you need to do Tevilla though. Based on that sugya, **many poskim** say that anything with a glass glaze should be toveled without a bracha.

This is the psak of the **OU** and **Star-K**, based on Rav Belsky and Rav Heinemann.

- B. However, both **Rav Schachter + Rav Willig** paskin based on **Rav Moshe** (quoted in **Ohalei Yeshurun 4 fn. 121**) that contemporary glass glazes don't require Tevilla because they're so thin. [**Rav Schachter** quoted **Rav Gifter** as saying the same.]

1. Why? They explain that even though we're מחמיר מiderabanan to tovel glass (and even גלזירט), modern china/glazes have such a thin coat that it's considered insignificant.

- a) This lines up historically with the fact that glazing changed radically in the 1980's from thick glaze to a microscopically thin, perfectly uniform layer. By the dawn of the 1990's, virtually all mass-market, budget-to-mid-tier household dinnerware had transitioned entirely to this ultra-thin, fast-fired standard. See [here](#) for more.

VIII. Pyrex: type of glass; חייב with a bracha. See **YO 6:YD:12, Shulchan Halevi 1:24:30 + Tevillas Keilim 11:37.**

- IX. Corelle: This is a type of 3-layered glass with an opaque white glass layer in the middle. They're bonded together to create a material that's resistant to breaking and scratches.

- A. Because it's three layers of glass, almost all Kashrus organizations say it's חייב with a bracha (**OU, Star-K + OK** all say this.)

- B. In contrast, **Rav Willig** tells people not to tovel them, and points to the **Ohalei Yeshurun by Rav Felder** (Mahadura Kama) **3:fn. 114** who says not to do it at all, without explaining. He actually puts it in the category of plastic, and just says it's a safek if it's glass in the footnote. In the *hechsher* keilim section, he says he heard from **Rav Moshe** that it's a safek glass, and **Tevillas Keilim 4:20** says that on any sfeika dedina for glass, we'll say safek דרבנן lekula.

1. **Rav Willig** heard from Rav Felder he thought it was פטור and he wasn't chozer bo, but **Rav Dovid Feinstein** said to him it should need Tevilla since it says it's glass on the package, so he changed it in the later additions to Tevilla without a bracha.
2. What's the sevara that it should be פטור? One simple sevara is that corelle can't actually be fixed by superheating it. It's 3 carefully arranged layers of glass which fuze together, and when you superheat it, they just mix together, and are likely to violently shatter, and won't liquify into new corelle.
 - a) The pushback on this would be that it's still just 3 layers of glass, and each one of those is חייב, so it's strange to say that they lose their חיוב because they're melded together. Furthermore, based on the logic presented above by aluminum and plastic, it's mistaber that the גזירה was simply that glass is חייב, and we don't take into account the reason for that takana. If so, corelle is חייב with a bracha, since the fact that this particular 3-layer glass can't be fixed is irrelevant.
 - b) Alternatively, **Rav Willig** argued that glass definitionally has to be see-through: **Shabbos 16b** says they made glass טמא on outside (and not just the inside like חרס) because it's see-thru so is like one large surface. **Rav Willig** argued this is definitional to glass (a big chiddush). Since the middle layer of corelle is always opaque/white, there's at least a safek if Corelle counts as glass, and therefore is פטור.

- X. Ceramic knives:

- A. Not really made from halachic ceramic, but zirconium dioxide. This is a safek if it's a metal, glass or ceramic. See [here](#), so one should presumably do Tevilla without a bracha. [It's not able to be hammered like the other 6 metals, but would shatter if put

under that type of mechanical stress, which leads to the conclusion that it's not a halachic metal, per the Tifferes Yisrael's definition.]

Multiple materials:

I. Mechupeh

- A. **Gemara 75b** has a machlokes whether it's חייב or פטור by cheres metzupeh be'avar (lead). Gemara paskins you're חייב (kesof).
- B. How much is covered?
 1. **Tosfos 75b והלכתא ד"ה** is clear that it doesn't matter what's ma'amid what, and either way, we just care about whether the shimush of the item is with the metal. His lashon is meduyak that this is because it has to be מדין דכלי where the metal was what one was משתמש.
 - a) **Tur** paskins this way, that a כלי חרס מצופה באבר is חייב only when metzupeh from inside, but not when from outside. He then says that we don't care about ma'amid, and a cheres kli with ametal ma'amad will still be פטור (like Tosfos).
 - b) This is the opinion of most Rishonim, including **Rosh, Smak + Mordechai**
 2. **Mordechai quotes Avi Ezri** that *either* way is חייב, since מפנים בין מפנים לא חילקו חכמים בין מפנים, and the Rabbeinu Peretz said to be tovel without a bracha in this case.
 3. The **Ran** quotes a מ"ד that the tzippui in the gemara is specifically on *both the inside and the outside*, and that any glaze on just the inside wouldn't necessarily suffice to be מחייב the kli. **Ran** concludes to be מחמיר for that opinion so that you never make a bracha unless it's מחופה from both sides.
 4. There's a fourth shitah of the **Smak** that only inside is what matters, but if it's only עשוי לנוי, you do so without a bracha.
 - a) **Darchei Moshe** quotes the **Issur Vehetter 58:82** who says the minhag is like this, that we do't make a bracha when מבפנים מבפנים.
- C. Lehalacha:
 1. **SA 1** paskins like most Rishonim, that all that matters is that the metal is used directly with the food. In contrast, **Rema** paskins not to make a bracha if only מחופה מבפנים.
 - a) **Shach 4** quotes **Bach** that there was a minhag to use מבפנים מבפנים without any Tevilla whatsoever, and Bach is מתמיה on this.
 - b) Which shitah is Rema paskining like?
 - (1) **Most Acharonim on the page (RAE וכן נוהגים, Pri Chaddash** quoted there + **Gra 5**) explain the gemara was only talking about when it was מבפנים ומבחוץ (i.e. like the Ran), so we do it without a bracha when just מבפנים.
 - (2) However, **Taz 3** says that a tzippui מבפנים is only לנוי, i.e. like the **Smak**.
 - c) **Shach 2** from Issur Vehetter notes that a tzippui of glass is like a tzippui of lead. **Pri Chaddash 2** says the same
 - (1) **Darkei Teshuva** quotes various poskim who say to do so without a bracha, אין בו אלא חידוש.
 2. If metzupeh only on the outside, **Shach 4** quotes Mordechai beshem **Rabbeinu Peretz** approvingly to do Tevilla without a bracha.
 - a) This psak is followed by **Pri Chaddash 7, Chasam Sofer + Sefas Emes here**. It's also משמע this way a bit in **Rema** who writes, "אפילו" when it has an internal tzippui that it's חייב without a bracha. [In contrast, **Chochmas Adam 73:1 + ARUH 28** are meikil entirely in this case.]

- b) Considering most are פטור when there's a metal ma'amid on an eitz kli, **PT fn. 56 + Chelkas Binyamin 6 עץ כלי ד"ה** explain it must be we're מחמיר here only because it *looks like* a kli mateches.
- (1) This comes up with certain ceramic pots that have a metal base embedded in the bottom so they can work with an induction stovetop.
- D. If something was metzupeh and then a goy added a new tzippui, **RAE here + PMG 451 AA 27** beda'as **MA** say you need to do a new Tevilla even if you already did beforehand, since it's like a new kli.
1. **Pri Chaddash 19** though thinks it's battel to the kli and is פטור. **PMG OC 451:MZ:6** (end) is machri'a to be tovel without a bracha.
- E. Teflon coating on top of metal frying pan. Here, the main kli is חייב, while the tzipui is פטור. The Pashtus is that the SA would say this is פטור, since the point of contact isn't metal, while the Shach would say it's חייב without a bracha.
1. Despite that the SA would be פטור, **Pesakim uTeshuvos 7** based on **Maharsham 3:20, Minchas Shlomo 2:66:5, Rav Elyashiv** (quoted in Kuntress Tevillas Keilim 36), **Minchas Asher 3:61:1¹³ + others** say the psak is to be tovel without a bracha:
- a) Some acharonim argue we just follow the tzipui lechumrah in AZ, or that it's battel to the kli in this case, so shouldn't פטור it from Tevilla (**Maharsham 3:20**). Some (like RSZA) add in the Shach as a senif lechumra, and others argue that a kli which was be'etzem חייב can't become פטור just because we add a tzipui to it (not sure why that should be). See **R' Dovid Cohen pg. 80** for more.

II. Ma'amid:

- A. In **Shabbos 15b**, the gemara has a machlokes tannaim whether we say הכל הולך אחר המעמיד with respect to tum'ah. The case there is that there's a glass container with a hole in it, rendering it useless, and then it's plugged with a piece of metal. If we say הכל הולך אחר המעמיד, it's now considered *metal* and therefore is capable of tevilla in the mikvah (even though this doesn't work for glass), and if not, then we can't tovel it. There's a discussion in the Rishonim whether we should apply the same principle to Tevillas keilim:
1. In a case where there's a wood vessel that's held together only because of a metal exterior (like a wooden barrel with metal rings on the outside), **Tosfos AZ 75b, Tur + Mordechai** say they're pattur entirely. Tosfos explains that even if we *do* say הכל הולך אחר המעמיד, it will still be פטור, because we only define the part which makes contact with the food as klei seudah. In contrast, **Maharam** thought that we follow the ma'amad and therefore would have required Tevilla with a bracha. (He doesn't address Tosfos' point about defining klei seudah.)
2. In the reverse case, where the inside is metal but being held together by wood, the **Tur** quotes the **Smak** that it's חייב, but Smak concludes that **יש מחמירין** to be tovel without a bracha [to be choshesh for the Maharam ~BY]. **BY** argues this **יש מחמירין** would be מחמיר in both types of ma'amad, and endorses this opinion.
- B. How do we paskin?
1. **SA 6-7** sounds like we completely ignore ma'amad and just follow what's touching the inside. **Gra 16** notes we don't follow the laws of tum'ah vetahara for this – even if the item is mekabel tum'ah since it has a metal ma'amad, it's פטור. This is also what **Pri Chaddash 16 + Be'er Hagolah** think, and argue the SA was חוזר בו from what he wrote in BY. [**Taz** has his own mehalech in this sugya, which comes out similarly that you always follow the הכלי עיקר.]

¹³ He leans to saying פטור entirely and that the inside of the kli is really the defining section, but since he's not certain (and it's easy to be tovel), one should be tovel without a bracha.

- a) **Gra** notes that Rema also seems to understand this way, as he writes "וכן" a mill which has a metal end requires Tevilla despite that it would be useless without the wood it rests upon. You see Rema understood (and agrees with) the SA that you just follow the point of contact.
2. In contrast, **Shach** is matmihah on the SA, since in the **BY**, he clearly says we should paskin lechumrah on both cases and say to be tovel without a bracha. He notes many sources recommend this hachra'ah, and he therefore thinks one should follow the more cautious opinion in BY that one does without a bracha when ma'amad is occurring in either direction.
3. **Chochmas Adam 73:11** says one should be מחמיר for Shach/BY, while **ARUH 28** says the minhag is like the SA to just follow the point of contact.
- a) Thus, in a case where the metal is on the outside and doesn't make contact, **Rav Dovid Cohen pg. 73** thinks one can be meikil due to safek דרבנן lekula, as the whole din of ma'amad by tum'ah is (apparently) דרבנן. Aviyam and I had no idea why he was assuming this is only a din דרבנן, and we didn't think the gemaras in Shabbos sounded this way.
- (1) One could still follow this hachra'ah though for a different reason that it's a type of ס"ס: Safek if we follow the Shach, and even if we do, his shitah alone was only to be tovel misafek.
4. When the metal is on the *inside* and makes contact with the food, **Rema** says you tovel with a bracha. Here, **CB 58** is mechalek between when it holds the *kli* together and when the metal is just necessary to hold the *food* or enable the *kli* to function. In the latter case, it's like filling a hole with metal, which isn't פשוט that counts as a ma'amad, as **Gra 19** is ma'arich about, unlike the case where the *kli* itself would fall apart. As such, you don't make a bracha in the former case, but you do in the latter case. See beiurim there that there's also reason not to make a bracha based on a Chasam Sofer + Chazon Ish on this topic. **Pesakim Uteshuvos** quotes all this approvingly.
5. However, if the metal portion is the *critical* piece of the *kli* and also has food contact, then all agree Tevilla is required with a bracha, like **Rema 120:7** by ריחיון של פלפלין. [Although **Gra** learned this was the Rema just agreeing we don't follow Ma'amid, Chochmas Adam + ARUH all think that this Rema is true even if you follow the Beis Yosef/Shach.]
- a) **PT fn. 284** notes that therefore most keilim we have which have metal and plastic, and the main shimush occurs through the metal – and it touches the food – require Tevilla with a bracha. Included in this are: knives, spoons, ladles, peelers, blender knives, vegetable cutters, egg slicers, graters, potato masher, etc. Since the main part of the *kli* is metal and that's what contacts the food, it's chayav with a bracha even though the handle is plastic.
- C. Even when the metal makes contact, if the *kli* would be fully functional without the metal/glass part, it's פטור (**Rema 120:7** about a funnel)
- D. **In sum, the klalim are as follows:**
1. If the metal is on the outside and doesn't make food contact, this is a machlokes **SA + Gra** vs. **BY + Shach** about whether it needs no Tevilla, or Tevilla without a bracha.
 2. If the metal makes contact with the food:
 - a) If it's the *ikar* part of the *kli* (e.g. the metal of a peeler, ladle, egg slicer, etc.), then it needs Tevilla with a bracha (based on the **Rema**).
 - b) If the metal is *not* the *ikar* part of the *kli*: If the *kli* could fully function without it, but just not as well, it needs no Tevilla whatsoever (**Rema** about a funnel)
 - c) If the metal is *not* the *ikar* part of the *kli*, but **holds the kli together** (like screws on the inside of a *kli* that keep it together) one does Tevilla with the bracha.

(1) **PT 27** (end) argues if just the handle of a spoon or kli is metal, while the end where the beis kibbul/function is plastic, that doesn't require Tevilla at all. He argues the handle isn't a ma'amid, and quotes **Shevet Hakehasi 4:205** this way.

- d) If the metal is not the ikar part of the kli, and **the kli would not fall apart without it**, but would just have a hole or be not functional without it, **CB 58 + Pesakim Uteshuvos** conclude to be tovel without a bracha. (An example of this is the cover to a Contigo that has a metal spring; the cap wouldn't fall apart without it, but it needs the spring in order to function. Assuming the water always makes contact with it, one needs to tovel it.)

E. **Rav Dovid Cohen pg. 74** notes that most grinders are made of plastic, so don't require Tevilla. Even when they have metal pieces, they function OK without them.

Definition of Klei Seudah (Seif 4)

- I. **Gemara 75b** says only כלי סעודה are חייב since the whole parsha is about kashering keilim. Gives example of scissors (which **Rashi** explains are shearing scissors) being pattur, while pots and water heaters are חייב.
 - A. **Rishonim** paskin that keilim used to prepare food are חייב (e.g. grill), but a kli which holds the keilim with food in them (e.g. trivet, stovetop) would be pattur. **SA 4** paskins all this.
- II. What's considered klei se'udah?
 - A. The basic definition is foods that are used for eating or drinking, or are used to prepare the food (at least during a time when it's ra'ui le'achilah.
 - B. Needs to come into contact with the food:
 1. **Bach**: It comes into contact during preparing food or is used for serving food.
 2. **Chasam Sofer here** has an interesting chiddush that since it's all learned from parsha of hagalas keilim, only keilim that would touch the food are שייך to tevilla. **Gra 10** similarly says that it's based on whether the intended use will be בולע from the food it's preparing. [He agrees items used with cold are חייב, so he might mean contact or blios.]
 3. Some examples of this: Glass microwave plate, crock pot, blech, Plata
 4. There's a machlokes (discussed below) if one would once in a while use it for direct contact. E.g., if one might put a baked potato straight onto the microwave plate, do you need tevillah? **Pri Chaddash** thinks even if used directly once in a while, don't need to tovel it since we follow תשמישו. However, **Rema 8** clearly disagrees. See below.
 - C. Needs to either help prepare the food for eating or be used for to serve the food. As such, keilim that touch food, but don't directly assist in the food preparation, are פטור from Tevilla:
 1. Meat thermometer + can opener are thus pattur from tevilla. **OU** paskins this way and points to **Shach 120:11**. **R' Dovid Cohen pgs. 66-67** quotes the same from **Rav Reiss**. Similarly, **Rav Schachter** (quoted by R' Dovid Cohen pg. 67) thinks a food scale is פטור from Tevilla, since it doesn't actually prepare the food.
 2. Another reason to say a can opener is פטור is because its contact with the food is incidental, and isn't necessary for what you're trying to accomplish with it (i.e. to open the can). **CB 43** says poskim (**Shach + Pri Chaddash**) are מקדח פוטר which makes a hole in the barrel to make a spigot. You see from there that incidental touching which isn't the goal isn't מחייב, and he therefore notes one is certainly פטור for a can opener or wine bottle opener.
 - a) For the same reason, a glass cake plate cover does not require tevilla, since any contact with the food is incidental and not the purpose of the kli.

- D. If you use something only with the klipah of a food, like a nutcracker, all possible shitos exist. See **PuT fn. 195** that **RSZA + Rav Elyashiv** were uncertain, **Chut Shani** thought they're certainly חייב, and both **Shevet Halevi 6:245** and **Rav Moshe** (quoted in Rivevos Efraim 4:187) thought they were פטור entirely (although for different reasons).
- E. It also fundamentally needs to be a kli. As such, there's a machlokes whether the heating element of a Sousvide machine requires tevilla (see **R' Dovid Cohen pgs. 66-67**): **Rav Elyashiv** (Ashrei Ha'ish YD 9:15) would be מחייב, while **RSZA** (quoted ibid.) would be meikil. They're arguing about an immersion heater, but a Sous Vide is the same idea. The question is whether a heating element is considered a "kli" or just a source of heat.
- III. If you always use a very thin hefsek between the kli and the food (e.g. a layer of tin foil), **RSZA (Minchas Shlomo 2:66:5)**, **Rav Moshe** (in Mesores Moshe 1:YD:38) + **Rav Elyashiv**, (cited in **Ashrei Ha'ish YD 9:2**) all thought this was meaningless and the kli is still חייב with a bracha. The sheet in between doesn't help/interact with the food, but is just meant to lessen the impact of the kli or make it easier to clean afterwards, so is battel to it.
- A. As such, if a kli is חייב, you can't get around this by putting on tin foil before using.
- B. At the same time, **RSZA ibid** says if you have food that is always wrapped up in the wrapping, like milk in a bag, then the wrapping *does* become significant (as it shapes the food/drink) and the outer kli won't be חייב.
1. **Pesakim Uteshuvos fn. 265**, he notes the same is true for an oven rack, that you need to tovel it if you put things there with just aluminum foil. [Although **Elad** told me **Rav Willig** was meikil on that question, seemingly unlike all the above poskim]
- C. Relatedly, **Pesakim uTeshuvos fn. 264** says that if one puts foods directly on the oven (as Aviyam told me he's seen others do), **Rav Elyashiv** (Kuntress Tevillas Keilim 42) thinks the whole oven needs to be toveled.
- IV. Two steps removed (**seif 5**):
- A. **Rishonim** have a machlokes by shechitah knife whether it requires tevilla.
1. **Mordechai** and **Issur Vehetter** are meikil, because **Chulin 108** discusses a sakini shel AZ and says that you're able to use it for shechitah because you did hagalah. The Mordechai argues the fact that it doesn't say you did Tevilla implies it's unnecessary. But **Maharash + Tashbeitz Kattan** were מחמיר.
- a) **Beur HaGra 13** has a beautiful explanation of the machlokes that the cholkim don't think the case could be it was bought, since it would no longer be a סכין של ע"ז, since their selling it would be considered bittul. Rather, it must be that it was borrowed or it wouldn't be called a סכין של ע"ז. Once that's the case, there's no סכין של שחיטה to begin with, so there's no ra'ayah that a sale doesn't require Tevilla. In contrast, the **Mordechai** thought that a sale doesn't count as bittul.
- b) See **Darkei Moshe 4** who recommends using it once for your table knife so it's definitely klei seudah so you can do tevilla (with a bracha).
2. By the shechitah knife, **SA** paskins like Mordechai lehakel, but **Rema** notes some disagree, and concludes that it's "טוב" to do tevilla without a bracha. [He doesn't mention his eitzah to use with food beforehand.]
3. However, **Rema** says ברזלן don't require tevilla and then does *not* mention to do so even without a bracha.
- a) **Taz 7 + Gra 14** says he would require one to do tevilla without a bracha in that case as well. Thus, Taz thinks Rema always requires tevilla without a bracha when two steps removed
- (1) **PMG OC 451** paskins this way. **Oukosher website** does as well, and therefore says that grinders, mixers, or butchering knives, should

be *toveled* without a *Bracha*, preferably together with metal utensils, so that the *bracha* recited over the latter will cover the former as well.

- b) **Shach 11 + Chochmas Adam 73:9** though thinks that Rema was being *dvaka* and Rema only requires *tevilla* without a *bracha* when the *kli* can be used for direct *klei seudah* (e.g., a *shechita* knife, but not *barzelin*, which have no other use). So long as it's *שייך* to be used another way, that suffices. The Shach is thus more *meikil* than the Taz, and would *פטור* you from *Tevilla* completely in certain cases.

- (1) Where did this *hachra'ah* come from? The **Gra** asks that it's simply not true that anything usable in another form is *חייב*, as evidenced by the scissors for *klafim* (mentioned by Rema later) that aren't *חייב* until you choose to use them for a food purpose.

- (a) We thought the *פשט* was that this was just a *hachra'ah* within the *machlokes* about *sakin shel shechita*: Only when I have a *kli* that's multiple steps removed from finished product do we have a *machlokes*, and then this *sevara* of *ראוי* is enough to tip the scales. But it's not that *ra'ui* alone is enough to be *מחייב* when you have something that clearly is *not klei seudah*.

- (2) **Rav Heineman + Star-K** paskins like Shach; so long as you never use it for ready food, no *tevilla* (e.g., grinders, mixers).

- (3) Both **Pesakim uTeshuvos 21 + CB 39** paskin to be *מחמיר לכתחילה* per the Taz, but can be *meikil* in a *sha'as hadchak* like the Shach, especially considering Rema's *lashon* is just that it's "*tov*" to be *מחמיר*. [**R' Cohen pg. 57** thinks one can be *meikil* לכתחילה, but I'm more comfortable with CB's *psak* on this one.]

4. Some examples to consider:

- a) Chicken scissors *lichorah* are *חייב* according to either *shitah*. Similarly, both *shitos* would be *מחייב* cookie cutters, as you can use them with fully cooked items, like cake.
- b) Mixers are *lichorah* always used for unprepared food and only Taz would be *מחייב*. Metal rolling pins, meat hammer/tenderizers, and whisks are the same

V. *Rov Tashmisho*

- A. See **Pischei Teshuva 6 beshem Shav Ya'akov** who says we follow *Rov Tashmisho* to determine if *כלי סעודה*.

- B. If someone buys *kli* with intent to use it for other purposes, and then decides he wants to use it once for *כלי סעודה*:

1. **Rema 8** is explicit that he can't do so until he's *tovel*, consistent with *Darkei Moshe* mentioned earlier. **Pri Chaddash 19** disagrees with this Rema for this reason, since *Rov Tashmisho* is still not a *כלי סעודה*.

- a) He argues this is *muchach* from the *din* of stove grates, which the *Rishonim* say are *פטור* from *tevilas keilim*, despite that you need to *kasher* them for *Pesach* (in *Siman 451*) which implies you occasionally use them to prepare food through direct contact. The response to this is as *Gra* writes, that it's just a *chumrah* there since the dough sometimes touches it, but it's not that one intentionally cooks there.

- (1) In other words, the fact that it touches bread/food is incidental, and not intended.

- (2) **CB 33** explains the *Gra* slightly differently that that the dough which falls on the grate isn't eaten, so it's not *klei seudah*.

2. **Taz 10 + Shach 16** assume like Rema, + **Chochmas Adam 73:7** sides with Rema's *psak*.

3. In contrast, **PT 6** quotes **Shav Ya'akov 31** who is meikil like **Pri Chaddash**, as is the **ARUH 40**.
 4. Lichorah, one should be tovel without a bracha because of the machlokes – this is how **Pesakim uTeshuvos 16** paskins, per **Minchas Shlomo 2:66:12** (who just says (חייב), **YO 7:YD:9:1** (who says without a bracha) + **Rav Elyashiv** (quoted in Kuntress Tevillas Keilim 50). **CB 68** paskins this way as well. In contrast, **Rav Dovid Cohen pg. 119** says contemporary poskim say to do so with a bracha, like the Rema.
 5. However, **Pesakim uTeshuvos fn. 159** quotes **Pri Toar 11**, **Beis Lechem Yehuda 10**, **Minchas Yitzchak 9:84**, **Avnei Yashfeh from RSZA**, **Rav Elyashiv + Tevillas keilim 1:2** who say it's מותר to use a kli be'akrai for another purpose if it's a kli which obviously wasn't intended for a seudah purpose (e.g., a hammer, a standard pair of scissors, etc.)
 - a) Meaning, we're מחמיר like the Rema for mi'ut tashmisho when it's something that one might have looked at as klei seudah. But when it's something that's clearly *not* klei seudah, we can follow Rov Tashmisho to even allow you to use the item for food purposes..
- VI. Pot cover/lid – with a bracha (**Rema 5**). There are two explanations given for why this is:
- A. Since it helps cook by speeding up the process, and is part of the pot, it's like a part of the pot itself (**Or Zaru'a AZ 289¹⁴**)
 - B. **Gra 15 + Pri Chaddash 15** explain that the pot cover touches the food when it bubbles, and the zeiah connects the food to the top. **ARUH 32** repeats this.
 1. As such, **ARUH 32** says one is פטור on a covering that's meant just to stop things from falling into the food, and **Tevillas Keilim 11:63** paskins this way. However, if it normally is in contact with the food, or helps keep the food fresh, one should be tovel without a bracha (see **fn. 202 + 203**).
 - C. In contrast, **Rema** writes that a bread cover doesn't need one. **Pri To'ar 9** says this is something that covers the Tanur so the heat can't leave. The reason for this is because it doesn't become one entity with the Tanur, and because steam of a davar gush isn't considered זיעה (**Gra**).
- VII. Storage containers:
- A. Do you need to tovel a glass/metal sugar canister or a bread box?
 - B. **RAE 120:1** quotes the **Mahari Milira** who argues that you don't need to do Tevilla on a kli cheres that's coated with metal when they're just meant to store wine (להכניס בהם). In contrast, **Knesses Hagedola 18 on BY + Mahari Ze'evi** both thought they require tevillah.
 1. **RAE** then notes the **Issur Vehetter 58:8** says that metal keilim to store wine *do* need Tevilla. **RAE** argues (in defense of Mahari Milira) that maybe that's only by metal keilim, but when it's a tzipui mibifnim which is already a shailah, you can be meikil in conjunction with this sevara of storage. However, if they're metzupeh on both sides, there's no room to be meikil.
 - a) **ARUH 39** was meikil only by very large keilim which are used le'otzar and aren't ever moved.
 - b) Lema'aseh, the psak of almost everyone is to tovel, but without a bracha. These poskim include **Salmas Chaim YD 24**, **RSZA** in **Minchas Shlomo 2:66:7**, **Rav Elyashiv** (kuntress tevillas keilim 720), **Rav Belsky**, **Rav Schachter + Rav Forst**,

¹⁴ וכן אותו שקו' טריפיד שמשימין עליו היורה אינו צריך טבילה שאין עושין אותו בתוכו צורכי סעודה אבל כסוי ברזל שמכסין בהם את היורה צריכין טבילה כיורה עצמה שהרי מסייעין לבשל כיורה עצמה וככלי אחד דמו. מ"ר.

all quoted by R' Dovid Cohen pgs. 62-63. [R' Heinemann apparently thinks they're פטור entirely, but he's a da'as yachid.]

(1) [Rav Zilberstein Chashukei Chemed AZ 35 says a כוס של אליהו might require tevilla even though you never drink from it since it's a storage kli, as above.]

2. [There's an additional tzad lekula by a flour instant coffee container (if you refill it) that it's always holding food that isn't yet ra'ui le'achilah. Although one could use it for other things also, even then, we're tovel only misafek (without a bracha), so one could argue there's a sfeik sfeika lekula. Similarly, storage kli for flour might be פטור since you can use a tzeiruf of storage keilim and the SA's opinion that kli used for inedibles is pattur. Considering the evidence points to storage keilim being חייב though, one should tovel these without a bracha as well.]

VIII. Glass cutting boards: Are חייב in Tevilla, even though they're just a piece of glass. See **Shevet Halevi 6:245 + Pesakim uTeshuvos Miluim Os 41.**

- A. [He notes in fn. 44 that all Jewish cutting boards are made by goyim in Chutz La'aretz and require Tevilla. One is also supposed to do Tevilla while it has the non-glass parts attached to it, but בדיעבד it works if you did the glass alone (see Os 48 later).]

IX. **PT 6 from Shav Ya'akov:** Can be meikil to use a water pitcher that's kavu'a in the ground since most uses are to add with dough and other things that aren't ra'ui le'achilah. However, inside, that's just a senif be'alma, which he's not certain about, and his real hetter is because it's לקרקע מחובר.

- A. **CB pg. 273** notes **Issur Vehetter 58:86¹⁵** says explicitly not like Shav Ya'akov and that such an urn needs tevilla since it's touching water – which itself *is* ra'ui le'achilah – even though it will be used with dough.

Connection Between Tum'as Keilim and Tevillas Keilim

- I. **Shav Ya'akov 31:** Tur has a klal that we won't be more machmir on tevillas keilim than on tevilla from tumah. As such, if something isn't mekabel tum'ah, it doesn't require tevilla.
 - A. **Pischei Teshuva 1 beshem Chochmas Adam:** Huge vessels that are mechubar lekarka are still keilim (unlike Shev Ya'akov). You have to break them and rebuild them. He fundamentally seems to accept that if something isn't mekabel tum'ah, it won't be חייב in Tevillas keilim either.
 - B. However, this isn't פשוט, and **Giddulei Tahara + Mahari Assad 216** are both quoted by later achronim as disagreeing.
 1. **Chelkas Ya'akov YD 46** notes that cheres covered in metal is חייב in tevilla, but **Rambam Keilim 4:4** is clear that this would not be mekabel tumah. See **Gra YD 120:16** who explains the difference.
 - C. This issue is still somewhat unresolved. The **Minchas Yitzchak 5:32** quotes both shitos and says the minhag is lehakel. At the same time, **Minchas Yitzchak in 4:114** strongly favors the Giddulei Tahara and writes the Shev Ya'akov is “לא הוי אליבא דהלכתא”
 1. **Rav Moshe YD 3:23** assumes if it's not a kli for tum'ah purposes, then it's not a kli for Tevillas keilim as well. **Chelkas Ya'akov ibid.** also comes out lekula despite that Rambam is a kashya on this mehalech,
 2. Similarly, **Machzeh Eliyahu 2:50:2-5** notes that the **Gra 120:19**, based on **Mordechai AZ 859**, thinks we *do* follow tumah vetahara, and another **Gra (120:15)** negates the Giddulei Tahara's ra'ayah.

¹⁵ ספר איסור והיתר הארוך שער נח

פו. ומיהו היורה שמחמם בה מים לעיסה ודאי צריך טבילה דנוגע במאכל עצמה הן:

Are Very Large Keilim פטור from Tevilla?

- I. **PT 1 from Chochmas Adam 73:13:** A big yoreh is חייב even though it's mechubar lekarka. In **Binas Adam 66 (85)**, he explains that because it's a kli before being attached to the ground, it's therefore mekabel tum'ah even though it's later attached to the ground. The פטור of mechubar lekarka is only if it's עשוי להשתמש עם הקרקע. Since it's mekabel tum'ah, it's חייב in Tevilla.
- II. A number of acharonim, including the **ARUH 39**, thought that a kli that's more than 40 se'ah is פטור from Tevilla because it wouldn't be mekabel Tum'ah.
 - A. We noted this is very difficult though. The din of מ' סאה being unable to be mekabel tum'ah only applies to eitz and certain other materials, but not metal (see **Sha'ar Dei'ah 8:3:1 + Rambam keilim 1:9¹⁶**). That alone ruins the whole sevara, but even if that weren't the case, **many rishonim** learn that a kli that isn't mekabel tum'ah due to being 40 se'ah is still a *kli*, such that it's mekabel medras and potentially tum'as Meis, but just isn't mekabel certain other tum'os. **Ran** learns it's not a kli for tum'ah purposes, but **Rambam, Tosfos, Rash + others** don't learn that way. See **Sha'ar Deiah 8:3:3**. The drasha the **ARUH himself** quotes seems to imply that they *are* keilim as well!
 - B. Is there any defense for why 40 se'ah would make a difference? **R' Dovid Cohen pg. 223** argues that we see 40 seah making a difference for other halachos, like that there's no hetter of binyan bekeilim when it's 40 seah. Although 40 se'ah rule doesn't apply to metal items, it could be that's because although they're no longer keilim, they're still mekabel tumah like peshutei klei matachos. However, the fact that they're mekabel tum'ah doesn't mean that they're keilim, and mimeilah that's why they're פטור.
 1. At the same time, **Knesses Hagdolah 120:18**, quoted by **RAE + Chochmas Adam Binas Adam 66 (85)** don't consider this for huge keilim, which might imply they disagree with the above logic.
 2. **Aviyam** argued the whole premise was wrong; anything that has utility is by definition a kli; even פשוטי כלי מתכות *are* keilim. The reason there's no hetter of בנין כלי is just because they're kavu'a bimkomo, but anything useful is a kli.

Disposable Keilim

Basic Approaches and Aluminum Pans

- I. **Rav Moshe YD 3:23** — Assumes it's תלוי on whether it's mekabel tumah (presumably since it isn't a kli). **Rambam Keilim 2:1** says keilim that are מועט זמן אלא שיעמדו לא aren't mekabel tumah. Therefore, Rav Moshe thinks for keilim that can't last "הרבה זמן" and can be used only two or three times ע"י הדחק "Efshar" that they're pattur from tevilla. However, if it *could* last awhile but people just throw it out, that's not a hetter.
 - A. As such, lichorah there's no hetter from this Rav Moshe for contemporary aluminum pans, which certainly *could* be used many times (when cooking dry things), but we just choose not to.
- II. **Minchas Yitzchak 5:32:** Also thinks they're פטור, but not because they aren't *ra'ui* to be used, but because one has da'as to throw them out after use. The ra'ayah to this is from **Rambam Keilim 5:7** that a horn isn't mekabel tum'ah if you plan to use it just once (even

¹⁶ א"י [ט] כלי מתכות--אחד פשוטיהן כגון הסכינין והמספריים, או מקבליהן כגון היורות והקומקמוסין--הכול מקבלין טומאה: שנאמר "כל דבר אשר יבוא באש" (במדבר לא, כג), בין מקבל בין פשוט. אפילו תיבה או מגדל וכיוצא בהן של מתכת שהן מקבלין ארבעים סאה בלח או יתר--מקבלין טומאה, שנאמר "כל דבר".

though it's obviously very sturdy). Despite that it *is* a kli, since it can't be mekabel tum'ah, there's reason to say it's פטור from Tevillas keilim as well. He notes this question – whether tevillas keilim follows tum'as keilim – is assumed to be true by **Shav Ya'akov (quoted in Yad Efraim + PT 6)**, despite that the **Giddulei Taharah** disagreed. Since the minhag is lehakel, [and even the Giddulei Tahara seems to be meikil when it's not ra'ui for a tashmish keva,]) one doesn't need to tovel aluminum pans. [This is presumably a hetter for Snapple bottles as well.]

A. Chelkas Ya'akov 46 makes the same argument and comes out lekula.

1. Along the way though, Chelkas Ya'akov notes that the Shav Ya'akov's assumption that Tevillas keilim + Taharas keilim are תלוי זה בזה is contradicted by **Rambam Keilim 4:4** that cheres covered in metal isn't mekabel tum'ah and is still חייב in Tevillas keilim. [See **Gra YD 120:16** who explains the difference.] He notes all the other rishonim disagree with his interpretation of that din in keilim, so there's no stirah from other rishonim, and he's therefore willing to follow the Shav Ya'akov's Hanacha since that seems to be the minhag.
2. Surprisingly, **R' Dovid Cohen pg. 124** quotes that various talmidim of Rav Moshe (**Rav Heinemann, Rav Fuerst + Rav Bluth**) quote him as saying exactly this – if intended for one-time use, don't need to tovel, but if intended for more, then you need to tovel it! Hard to square this with his teshuva.

B. Mishneh Halachos 7:111 strongly disagrees with the extrapolation from the Rambam in Keilim 5:7. He argues Rambam is talking about a horn that you just ripped off and never turned into a kli. But if you were חוקק to turn it into a kli, it's פשוט it would be a kli immediately! He also rejects that the minhag is lehakel as this is a new shailah, and in Brooklyn, his talmidim are מחמיר. He says that aluminum tins also can be used many times, and that he tried it himself.

III. Rav Ovadiah in Chazon Ovadiah 2:pg. 56: Has Toras kli, which is why you can use it for kiddush and נטילת ידים. Even though not mekabel tumah, other things are considered keilim, such as stones, despite that they aren't mekabel tum'ah! As such, even though not mekabel tum'ah, it requires tevilla, but without a bracha (to be choshesh presumably).

A. Chelkas Ya'akov YD 46 makes a similar point by noting that cheres covered in metal is חייב in tevilla, but **Rambam Keilim 4:4** is clear that this would not be mekabel tumah.

IV. Lema'aseh:

A. OU here, CRC here, and others are meikil, and that seems to be the minhag. **Star-K** is מחמיר, and I heard from Aaron Berman and saw in Ike's notes that Rav Schachter is מחמיר as well.

1. See **Mishneh Halachos 7:111** argues aluminum pans *are* keilim that last for a long time, and he tested it out himself and they can last for a very long time if treated properly. [I was told that this is not the case on anything with even a tiny bit of liquid, as the liquid gets charred into the pan; lichorah it fits Rav Moshe's definition of twice or thrice עד"י הדחק.]

Glass Bottles, Coffee Containers + Cans (Pre-Filled Disposable Keilim)

- I. When you have a pre-filled disposable kli, like a Starbucks Frappuccino bottle, San Pellegrino, or soda can, the kelim are certainly stronger keilim than truly disposable items, but you plan on discarding it. What's the hetter in this case?
 - A. Rav Moshe's** hetter above wouldn't help, while **Minchas Yitzchak** above would apply. What about for everyone else?

B. Maharil Diskin KA 5:136¹⁷ lets one passively/shev v'al taaseh empty to utensil.

Similarly, **Seridei Eish Hama'or Kisleiv 5715** argues there's no requirement to empty quickly, so can slowly empty.

C. Seridei Eish 2:29's multiple svaros:

1. People don't want to buy the kli, since then they'd be doing an issur, so everyone's automatic da'as when they buy it is to borrow, not to purchase the kli. Brings a ra'ayah from **Taz 448:3** in Hilchos pesach that if a goy sticks chametz in your reshus, midina you aren't koneh, since your reshus is only koneh that which would be נִיחָא לֵיהּ.
 - a) *The dimyon is very weak lichorah. Over there, there's a din that my reshus isn't koneh anything I don't want it to, so mimeilah I wasn't koneh. But here, I'm doing an act of acquisition and paying money for the kli with it's contents – how can we just ascribe different da'as than what the person is clearly thinking to pretend he didn't buy the kli, but borrowed it?*
 - (1) *In Hilchos tzitzis, there's actually a fantastic dimyon. The halacha is that one has no mitzvah of tzitzis for a borrowed garment. If I borrow someone's tallis trying to fulfill the mitzvah, **Rosh** says, and it's paskined in **SA 14:3**, that we assume there's automatic da'as that it be a להחזיר ע"מ, since that's the only way he'll get a mitzvah. This is true even when people don't know the halacha (and Rosh says so even when one takes a tallis without the makneh knowing!). This is basically the reverse of the Seridei Eish's case.*
 - b) He adds that it's אסור to be מחמיר since so many tzaddikim have been meikil, and especially because the food does not become אסור.
2. He argues that the reason a kli shel shutfus doesn't require tevilla is because it will return to its "tumah" when you're done. As such, there's no point in doing tevilla. So too here, since you're going to throw out the kli right afterwards, there's no point in being metaher it from its tum'ah.
3. It's impossible to be tovel the item – if I want to empty the contents, it no longer needs tevilla since I'm going to throw it out, and before then, it's impossible to do tevilla!
 - a) Although you could empty it out and do tevilla and then put the food back in, you're essentially doing that when you eat/drink the food. [As evidenced by the end of his teshuva, and as **Rav Schachter** quoted it, he's really just arguing there's no issur of טבילת כלים beshev v'al ta'aseh.]
 - b) Similarly, **Shu"t Maharil Diskin Kuntress Acharon 136** says this case is מותר since it's שב ואל תעשה.
 - c) He adds at the end that although it's thus מותר, a ba'al nefesh should have explicit da'as to borrow or not be koneh, rather than buy.
 - d) *Lichorah it's a צ"ע how my da'as to borrow can work if the mocher's da'as is to sell. Why does the kli's status follow my da'as? Why isn't the whole sale battel? I asked **Rav Schachter** and he explained the only time you can be koneh an item שלא מדעתו is by yerushah. So long as that's not your kavana, you aren't really koneh. Why then don't I have to return it? Rav Schachter said that in Choshen Mishpat, even if someone owns something, so long as he doesn't think it's his and he doesn't want it, there's not a problem with me throwing it out. Have to find sources and hagdara for this.*

¹⁷ ודע עוד, דבקונה כלי עם שקה אין צריך לשפוך המשקה ולהטבילה דשב ואל תעשה הוא ולא נקרא שימוש".

(1) *We wanted to know: Why don't you do this for big keilim as well? Why not just have intent to borrow it? The answer is (we think) that we paskin like the Taz in Seif 16 that even if you borrow from a goy, that's only a temporary eitzah since it gets שמ ישראל on it, just like a mashkon which is never intended to be returned.*

(2) **Mishneh Halachos 4:107** agrees that one should be mechaven befeirush, but thinks he should have da'as not to buy at all. This might be Seridei Eish's opinion as well.

4. [Rav Shlomo Kluger is meikil in **טוב טעם ודעת 3:22** that if a Jewish middle man bought a kli from a goy with intention to make food with it and sell it, it does not require tevilla since the Torah is only מחייב one who buys a kli for his own purposes. Seridei Eish says you can rely on this.]

D. **Teshuvos Vehanhagos 1:447 + SSC 9:49** argue that they're klei otzar so not fundamentally חייב ever.

E. **Mishneh Halachos 4:107**

1. If there's a deposit, you can say the kli is borrowed from the goy.

2. If there's not a deposit, he argues you can say the kli is considered hefker from beforehand since no one really cares about it, and if you buy from hefker – not a problem. **Rav Schachter** quoted this as a sevarah to be meikil as well, but didn't love it. Are people really mafkir the can before they throw it out?

a) However, he recommends explicitly being mafkir (even not in front of three people, since it's glass and a sha'as hadchak).

II. Assuming one is meikil that one doesn't need to tovel the jar or can the food came in, can I drink directly out of the kli as well?

A. **Minchas Shlomo 2:66:10** allows you even to eat directly from the can: מ' not חייב to empty it out immediately, and so I can choose to slowly empty it out דרך אכילה as well. He's talking about eating straight out of a sardines can (i.e. with a fork, etc.) and not to put the kli to one's lips, but lichorah the same sevara should apply.

B. **Rav Schachter** is מחמיר about this. I believe he accepts that you can rely on the שב בקו"ע sevara, but that drinking directly is considered ואל תעשה.

III. Best recommendation is thus to always have in mind not to buy the can or bottle. If not possible (such as if buying from Jews), be mafkir the can, or pour out contents into a separate cup. **Rav Schachter**: Drinking from a straw doesn't help the issue.

IV. Putting food back into the kli if you took too much: **SSC 9:fn. 44** from **RSZA, Rav Elyashiv** (Kuntress Tevillas Keilim 18) + **Rav Vosner** in **Kovetz Mibeis Levi YD 146** all thought this was מותר. **Rav Shternbuch** in **Teshuvos Vehanhagos 1:446** thinks it's אסור to put wine back into the bottle after kiddush.

V. As an aside, if a kli was already חייב in Tevilla and a goy or someone else put food inside, do you need to take it out? **Levushei Mordechai YD 2:11:2** argues that you do, even if it falls in by itself. **Sefer Tevillas Keilim 4:fn. 10** says even if one follows the **Maharil Diskin's** kula that one can "empty things out" when they were put in the kli before you bought them, that's only there where it wasn't already חייב. **RSZA** has a kula by restaurants where he clearly doesn't assume this way, so it seems to be a machlokes.

Kullas which exist even if you want to reuse the kli:

I. **Rav Moshe YD 2:40 [+ Or Letzion OC 1:24]**: The kli is battel to the contents, and thus becomes a kli only once the Jew is machshiv it as something separate. As such, even if you choose to use a Snapple bottle forever, it doesn't require tevilla.

- A. If they charge absolutely nothing for the kli, and won't lower the price if you bring your own, then that demonstrates it isn't a kli in the goy's eyes, and there's no חייב tevilla since I didn't buy a goy's kli.
1. He says it follows the goy's perspective, not the Jew's, since as long as it was battel in the Goy's hands, then it "turned into a kli" in the Jews' reshut.
 2. Brings a ra'ayah from tearing חותלות in hilchos shabbos, that at least if you originally intended to throw out the kli after its contents are emptied, the kli is battel to the contents.
- B. Even if they would lower the price if you asked to get without the kli, one can still say the kli is battel to the foods or drink inside, per the mishnayos in ma'aser sheini, so it's considered that the kli was made in the buyer (Jew's) hands.
1. He says this is true even if the kli was originally not intended for the contents, so long as it's battel at the שעת מכירה.
 2. He adds that these sevaros are definitely sufficient for glass keilim which are only אין למחות ביד המקילים miderabanan, but even for metal keilim.
- C. **Minchas Asher 3:64** argues that you can't bring a ra'ayah from there, since it's not a sevara in כהת"כ but is a local drasha by ma'aser sheini in **Eiruvim 27b** "וביין מלמד שקונין יין ע"ג קנקנר".
- II. Similarly, **SSC 9 end of fn. 10** quotes **RSZA** as saying that even if it (a sardine can or the like) was a kli before opening the can, one can use it as much as he wants afterwards "מפני שלצרכי סעודה הרי נעשתה רק ע"י ישראל". Presumably, this would apply to coke cans and metal cans, but not to keilim that were usable beforehand.
- A. **[CB 120:92** challenges this idea that this would suffice to not be חייב in Tevillas keilim. His big ra'ayah is from a **PMG OC MZ 451:6**, but see **R' Dovid Cohen ch. 10** at length where he shows it seems to be a misunderstanding of the PMG.]
- III. **Chelkas Ya'akov 2:57 + Seridei Eish 2:29:a**: You don't intend to buy the dish, because it would cause halachic problems; like **Taz OC 448:3** by acquiring an issur/chametz on Pesach.
- A. **RAW 3:64** rejects this – that's only true there where buying it is be'etzem an issur. Here, it's only an issur once you're mishtamesh with them, and not an issur if you'd do what you're supposed to.
- IV. **Most poskim** say you have to tovel it if you plan on reusing the kli, as that's the Pashtus. However, because of the sevaros lehakel on the shailah, if you choose to keep using the bottle, **Minchas Asher 3:64** says not to make a bracha out of respect for **RSZA + Rav Moshe** who would say it's פטור.

Electric keilim

Below is a list of sevaros lehakel for electric keilim

V. Mechubar Lekarka:

- A. **Chelkas Ya'akov YD 41+43 (+ Rav Aharon Soloveitchik)** says by a metal element you stick into metal walls to heat water in the kli, but would break if you tovel it that it's mechubar lekarka whenever you use it, and something that's only functional when בשעת הדחק is מחובר לקרקע from tevillah, so you don't need to.
1. In **YD 43**, he's very clear that he's only comfortable saying this sevara when the item is only usable while it's connected to the circuit. In fact, he thinks an urn *is* חייב, because you can use it just to hold the (hot) water or other drinks even if unplugged. He notes this is תלוי on the machlokes about whether Tevillas keilim follows Kabbalas tum'ah (as the **Shav Ya'akov** thinks), but thinks one can be meikil like this even though the **Mahari Assad 216** disagrees, as the minhag is like the Shav Ya'akov.

2. He quotes **תפארת ישראל לכלים פי"א מ"ב אות י"ד** who seems to say the same yesod by kabbalas tum'ah, that even a weak connection to the ground which can be moved and carried about is still considered not טומאה.
3. **Teshuvos V'hanhagos 1:450** quotes this Svarah and calls it tamuha, since the chibur is so temporary and flimsy, it doesn't count as karka. **Rav Moshe** by toaster clearly doesn't assume this way. **Minchas Yitzchak 2:72 + 5:126** rejects it, as does the **Shevet Halevi 2:57:3** (he calls this sevara "הבל ורעות רוח"). **All kashrus organizations** reject this. **Rav Schachter** told us "I thought that was a joke."

VI. No mitzvah if kli will break.

- A. As background, there are two reasons toveling electric components can cause them to break:
 1. Water creates a bridge which can cause electricity to jump over resistors and cause parts to short-circuit. Leaving it to dry for a week so no bridge is left before plugging it in fixes this. For LCD displays and certain other components (inductors, transformers), the water doesn't seem to evaporate for one reason or other.
 2. There are capacitors (like small batteries). If a device was ever plugged into the wall, there's a certain amount of available electricity sitting in the device, and it can leave the capacitor and flow to other parts, causing a short-circuit.
 3. [We've been tovel all our electric keilim, waited a week and never had a problem. Something with a computer chip or LCD display might be different]
- B. **Rav Heineman from Star-K Website:** מו"ר ר' היינעמאן שליט"א אמר שאם בודאי יתקלקל הכלי ע"י טבילה וא"א לטבול ולהשתמש בו אח"כ, א"כ הרי הוא אנוס שא"א לקיים המצוה, וכיון שכל האיסור להשתמש בכלי מאכל בלי טבילה נובע מהחוב דאורייתא לטבול א"כ במקום שפטור מטבילה מחמת אנוס שוב מותר להשתמש בכלי זה לכתחלה.
 1. **Rav Schachter** thought that was the פשוט פשוט. Compared it to Milah that **Ba'al Hameor** says if the baby dies, they didn't even get a mitzvah of milah. Here, too, the mitzvah is to do a successful tevilah. If you can't, there's no mitzvah, so you're good to go. Note however that if there's just an element, you can often put it in the mikvah and it will dry. Like by a toaster, you just need to wait a week before using it. However, if it would break, then no Tevilla necessary.
 2. **Rav Willig** says the same: It's not considered a kli if it's going to be broken afterwards.
 3. There's precedent to this sevara in principle from **Issur Vehetter** quoted by **Rema 11** that when partially owned by a non-jew, don't have to tovel, because it won't be effective. **RSZA 2:68** spells out the hetter is because it's impossible; since that's the case, there's no issur to use it.
 - a) The jump that all these poskim are making is to then say the same applies to an electrical device. Since it's "impossible" to tovel it, you're allowed to use it. The difficulty is that it *is* possible, but just it'll break or be less functional. It's unlike the case in Rema where it will literally be ineffective.
 - b) At the end of the day though, all these major poskim seem to accept such a sevara, so I would be comfortable paskining this way for others.

VII. Considering a kli two different keilim:

- A. **Rav Moshe YD 1:57-58 (end):** When there's two different functions to an electric appliance – the electric part and the part where the water rests, you can look at it as two separate keilim and only do Tevilla on the kli which would be considered a כלי סעודה. He proves this from **Mishnah in Keilim 2:7** (see Rambam and Rash at the end) that a single kli can be viewed as two separate keilim. [This would lichorah help with many keilim like urns, but not with toasters וכו'ומה].
 1. **Both Rav Schachter + Rav Willig** said we paskin like this.

- B. In contrast, **Minchas Yitzchak 2:72** disagrees based on a **Mishnah Lemelech Keilim 28:3** that whenever you have two attached keilim, if there's an ikar and a tafel, the tafel one is battel to the ikar and it's like one kli. By most electric keilim that this is שייך to, the electric part is tafel to the main storage component, and so can't be meikil like Rav Moshe.

VIII. Toaster:

- A. **Rav Moshe IM YD 3:24** (referring to old types of toasters) — Pattur since toasting bread that's already edible isn't considered a real tikun. This is lichorah תלוי on metzius, and isn't true in our times.

- B. **Everyone else** thinks they're חייב:

1. **Mishneh Halachot 9:162, Be'er Moshe 4:100, Teshuvot VeHanhagot 1:450, Sefer Tevilat Kelim 11:52** quoting **Rav Shlomo Zalman** and **Rav Wosner, Bayit HaYehudi 39:6, Kof-K** quoting **Rav Yaakov Kamenetsky**.
2. **OU, star-K, others** say tevilla without a bracha (to be choshesh for his shitah)

IX. Eitzos to get around it when you have an unfixable kli (or one you're unsure about):

- A. Sell to a goy and borrow it from him forever:

1. **SA 16:** If you forgot before shabbos or yom tov to do tevilla (where there might be an issur of כלי כמתקן כלי, or you don't have a mikvah, you can give it to a goy as a matana and borrow it back from him.¹⁸ Note that the goy has to do a proper Kinyan in order for it to work, which means meshicha or hagbahah. You can't be mezakeh shelo befanav, since אין שליחות לגוי. See **MB 448:15**.
 - a) **[Pischei Teshuva 15** quotes **Rashbash** who doesn't like this hetter at all since it's a הערמה, but **MB on 323** doesn't quote an issue with it.]
2. **Taz 18** says this is only a temporary eitzah. Considering the goy never plans on getting it back, it's really like a mashkon without intention to take back, which we say is חייב (with a bracha)! However, since **Taz** admits he's the first posek to say this, he says to do so without a bracha. **MB 323:7 + CB 120:23 (tziyunim)** paskins this way.
 - a) **RSZA** points out if the goy is makneh the kli back to you, that *would* necessitate a bracha.
 - b) Despite that **Taz's** chumrah is accepted by many poskim, including **MB 323:35**, it's noteworthy that **Knesses Hagedolah 120:62** (quoted by **RAE 1**) seems to disagree and think this is a permanent solution. This is also משמע from **MA 13:8**, and the **Chochmas Adam 73:23 (+Chayei Adam 44:17)** conspicuously leaves out the Taz's chumrah. As such, if a kli would break if toveled or it's practically impossible to do so, some poskim say one could be meikil to do this as a permanent solution (**Minchas Yitzchak 5:126 + Minchas Asher 3:57**).
 - (1) **Teshuvos Vehanhagos 3:259** says it's better to do a sechirus with the goy so it's not כן משוקע ביד ישראל.
 - (2) Even better than this is to sell it to the goy and then *rent* it back from him (for an extremely long time), paying him for it, so that it really is a sechirus (**Teshuvos Vehanhagos 3:259**)
 - c) **RAW + Rav Schachter** both said to sell new keilim to a goy during corona virus.
3. **Rav Belsky** (quoted by **R' Dovid Cohen**) thought it might be better (and less of a ha'aramah) to sell a *chelek* of one's kli to a goy rather than the whole hing. Others don't recommend this, since this doesn't fundamentally פטר from Tevilla, but just makes it impossible to do.

¹⁸ It's noteworthy, that one *can* tovel with a bracha during bein hashmashos (**MB 261:5 + Sha'ar Hatziyun** there).

- B. Another eitzah is to have a Jew take it apart and put it back together:
1. See **Pischei Teshuva 1 beshem Chochmas Adam 73:13** for the source of this eitzah.) **Halacha Yomit here** says both of these eitzos as well.
 - a) This idea is followed by **Kovetz Teshuvos 1:3, Teshuvos ehanhagos 1:450, Minchas Asher 3:57, Minchas Shlomo 2:66:4 + others**, at least by electrical devices.
- C. Being mafkir in front of 3:
1. **CB 120:16 לעכום ד"ה** quotes **Maharil Diskin KA 136** who notes from the fact that no one says to be mafkir, it must be it doesn't work. **Mishneh Halachos 5:110 + Tevillas Keilim 3:8** discuss and say it's חייב if last owned by a Jew who was חייב, even if now it's hefker.¹⁹ **Tzitz Eliezer 8:26:4** is also מחמיר, and explains that if you reuse something that you were just mafkir, it's as if it's שלו ממש, based on **MA 13:8**.
 - a) In contrast, **Minchas Shlomo 2:66:16** (or **2:68** in new editions) says that although hefker fundamentally works, since it *looks* like it's the Jew's, it might not be fully effective or be less recommended. He concludes that "אפשר" one could be meikil in a sha'as hadchak.
 - b) **Rav Schachter** during coronavirus said one could do this if selling to a goy is not feasible (keilim mikva'os were closed). He said one should do so in front of 3 people *and* leave it outside for a few minutes so they could theoretically be taken. [See bottom of page for the document he wrote.]

Method of Acquisition

Methods of Attaining the kli from a non-Jew

- X. If a Kli was manufactured by a non-Jew, and then a Jew buys it from him or another goy, that's a classic case of דומיא דכלי מדין and it needs tevilla. If he just borrows from them (such as at a hotel), that's not חייב. Based on the Rashba, **SA 8** says the same is true if an item is rented from goyim, since at the end of the day, it's not מדין כלי מדין.
- XI. If a Jew sells his kli to a goy and then a Jew (even same one) buys it back: **Tosfos 75b paskined by SA 11** says it's חייב in tevilla
- A. **Pischei Teshuva 13** quotes **Chayei Adam** that one should therefore not sell their pots and pans erev pesach since it will require Tevilla
 - B. If it was *produced* by a Jew, but sold by a non-Jew, it *does* require tevilla. **Most poskim** say *with* a bracha, as is mashma from לשון of **SA**; but **Rav Moshe YD 3:21** thought it was חייב without a bracha since it's a sfeika dedina whether it's מדין כלי מדין. Maybe such keilim are immune to tum'as goyim, due to their being created by Jews. I don't believe this is generally followed.
- XII. If stolen from Jew and then returned to him
- A. **Rema 11 beshem Issur Vehetter**: If keilim are stolen by a goy and then returned, they'll be pattur from Tevilla since it doesn't get a שם גוי, since he's unable to use it in public. However, if it's stolen by someone who acts with impunity, like a ruler, then it would require Tevilla since he can use the item however he wants.
 1. **Shach** points out that all this assumes there was ye'ush. If no yeush, Tevilla is not needed.

Mashkon

- I. The gemara **75b** discusses if I lend to a goy and he gives me the kli as a mashkon (paskined in **Seif 9**): if Paul gives a mashkon to Reuven in return for a loan, if Paul never

¹⁹ Despite this, **Mishneh Halachos** relied on this for disposable keilim, as noted above.

plans on getting it back, it's פשוט that it's חייב mideoraisah, since it's basically become acquired by the Jew.²⁰ Gemara though has a question whether משכנתא כזבינא and it's left unanswered.

A. How do we paskin on mashkon case?

1. **Rambam** goes lekula, and **Ran + Maggid Mishnah** explain he thinks all of טבילת כלים is כלי, so סדל"ק. **Tur** quotes this, and then says it's "Tov" to tovel it without a bracha. It sounds like he fundamentally agrees, but just thinks it's proper to be מחמיר (presumably since it's so easy).
2. Most Rishonim (**Tosfos, Rashba, Ra'avad**, others) think it's deoraisah and say you're *required* to do Tevilla; **Tosfos** is explicit that you can't make a bracha though.
3. **SA** paskins to do so without a bracha. The פשוט פשוט is that this proves SA holds Tevillas keilim is fundamentally deoraisah. However, **Rav Ovadya YO 2:9:3** points out that this could be because he paskins deoraisah or that he paskins דרבנן but is מדבר שיש לו מתירין on something so easy to fix (דבר שיש לו מתירין).
- a) **Pischei Teshuva 11 beshem Pri Chaddash** says that since it's a safek, you can go lekula on a mashkon of a goy that would only be חייב miderabanan, e.g. glass, and safek דרבנן lekula.

B. What type of mashkon are we discussing?

1. פשוט פשוט is that this is any mashkon, including when you know that Paul intends to take his mashkon back, as the gemara never makes any distinctions. **Beis Yosef + Bach** say this way explicitly.
2. However, **Tur** says that it's "tov" to tovel it when I'm *unsure* whether Paul wants to get it back. He doesn't discuss case of where you know he wants it back.
 - a) **Shach** argues this is intentional, and notes (in Aruch MiShach) that **Piskei Tosfos** uses a similar lashon. He thinks it's because when you know that the goy doesn't want it back, it's פשוט we won't say משכנתא כזבינא, and it will be פטור.
 - b) **Taz notes** though that the Tur thinks me'ikar hadin it's פטור, so you can't be medayek from the fact that he said a case where you don't know, since he's then saying the biggest chiddush that *even then, it's still* פטור! **Taz** sides with BY that any mashkon would be חייב misafek. In Aruch MiShach, he quotes (and lav davka's) the lashon of the Smak who sounds like it's חייב misafek in this case as well.

C. Is it gneivas da'as to use a goy's mashkon? Based on Tur's לשון, **Bach on seif 9 argues it's gneivas da'as to use a mashkon when you know the goy wants it back. He thinks **Maharil** holds this way as well. However, **Taz on seif 10** strongly disagrees and thinks that it's מותר even when you know he wants it back, since it's like הלואה. **Shach** also says minhag is lehakel. The פשוט is that gneivas da'as is only אסור when it took something out of the goy's hands or led to a hachzakas tova, but when you already have the item as a mashkon due to the goy's da'as, you're allowed to then use it also, and that's not דעת גניבת דעת.**

Entities that aren't classic cases of acquisition from goyim

- I. If Kli is bought from a goy but is now owned beshutfus with goyim as well (e.g. an office party keurig): So long as a goy retains a chelek, **Rema 11 beshem Issur Vehetter** says that

²⁰ See **Gra SK 30** who explains that although this isn't really amiknyan, the parsha of klei midyan is מחייב whenever it's נחלט ביד ישראל. Once you know the goy isn't going to take his mashkon back, it's נחלט, despite that he was not actually koneh. **CB** explains this way as well.

it's pattur from Tevilla. The **Issur Vehetter 58:91** inside (quoted by **Shach 24**) explains that there's no point in being tovel, since it will retain it's שם no matter what, so is like טובל קדושתו של ישראל as toveling it won't enable the kli to enter ישראל. **Gra** shows support to this idea from the Ran who says you have to kasher before you tovel due to the same טובל ושרץ בידו idea.

A. Beis Meir here asks two big questions:

1. Just because tevilla will be ineffective (due to ושרץ בידו), who says that gives you the right to use the utensil? Maybe it should just be אסור to use until you buy out his chelek?
 - a) **The poskim** generally accept the issur vehetter, and explain that the issur stems from the mitzvah; so long as the mitzvah is impossible to be mekayem, there's no issur hishtamshus either (**Avnei Nezer OC 418:11 + Minchas Shlomo 2:66:13**).
2. He asks why we don't have a breirah issue, that we should always say breirah lechumrah by deoraisahs and go lekula by derabanan. For any Tevillas keilim that's deoraisah, we should apply breirah to say it's completely the Jew's during the time of his hishtamshus, such that his Tevilla is effective (for that use), and then it just goes back to the goy afterwards. He should have to tovel it every time he uses it, since each time it will be like buying it from the goy completely! See there for more details of this breirah sevara
 - a) I thought (and then saw **CB** in beirurim said the same) that even so, this wouldn't be מחייב in Tevilla as the Gra said, and Rav Moshe expanded, that we only require Tevilla once the kli is נחלט בידו. Here, where by definition the kli is going to leave the Jew's reshus after a short period of time, it won't be מחייב in Tevilla. This isn't the Issur Vehetter's reasoning, but would still defend the psak.

II. Originally created/owned beshutfus with Jews and non-Jews, and then you buy out the goy's chelek: The vast majority of poskim say that this will be מחייב with a bracha. Meduyak from **Shach 26** by buying chelek one owned beshutfus from goy. This is the accepted psak (**Pri Chaddash 35, Gra 28, Chochmas Adam 73:6, Chasam Sofer 9 + ARUH 53**), and **Rav Schachter** said one would do so with a bracha. The beirur is that partial ownership also causes tum'ah (**Pri Chaddash + Gra**).

A. However, **Sho'el Umeishiv 1:2:73 +** other minor poskim thought that it isn't דומיא דכלי where the goyim fully owned it originally, and therefore recommended not making a bracha. It's also משמע this way from **Taz end of SK 12 + 13**. See below that some contemporary poskim invoked this re: corporations.

III. Corporations:

- A.** The vast majority of poskim think that we'll follow the shareholders in determining who the owner of a company is. As such, in publicly traded company, the owners are certainly at least partially goyim. In a privately owned company, the private shareholders are the owners.
 1. If a corporation is in Chutz La'aretz, we follow Rov to assume they're owned by goyim (**Iggros Moshe OC 3:4 + Chazon Ish YD 37:15**). In EY, **Iggros Moshe ibid. + Kovetz Mibeis Levi YD 147** say we can assume they were made by Jews, while **Chazon Ish YD 37:15** thinks one should be מחמיר tot ovel without a bracha since it's so easy.
 - a) **Badatz Eidah Chareidis (Madrish Hakashrus Pesach 6:7)** says the metzius has changed nowadays that many companies are owned by goyim, and there are non-Jewish middlemen involved, so should always tovel unless certain.
- B.** There's a minority opinion in poskim that LLCs and corporations don't have any classic ba'alim:

1. See **Teshuvos Vehanhagos end of 408** for discussion of whether to be tovel with a bracha; he concludes the minhag is to do so, but it's definitely a discussion.
 - a) See also **Moadim Uzmanim 3:269** in footnote for a longer discussion about corporations. He argues that the main owner is considered the complete owner, and the buyer of a share is just like giving a halva'ah, since the idea of creating a separate entity doesn't exist in halacha. Despite that the institution of a שעבוד נכסים without a הגוף does exist, since the goy doesn't have that intention when he sells you a share, we can't consider the Halacha to redefine what he sold you if that wasn't his da'as. According to this, if the מנהל is non-jewish, it would require tevilla, with a bracha.
2. **Rav Schachter** does not make a bracha on any tevillas keilim due to corporations, since he thinks corporations may not be non-Jewish entities, but independent legal entities. **Rav Yechezkel Roth** in **Eimek Hateshuva 5:67** thinks the same, although we found his teshuva very unconvincing.
3. See **Mishmeres Habayis 9:3** who argues not to make a bracha nowadays, but for a different reason: He quotes that **R' Ya'akov Kaminetsky** and **Rav Elyashiv** were choshesh that a corporation with any Jewish owners has a din of a shutfus me'ikara, which they thought might not be חייב in tevilla (like the **Sho'el Umeishiv** above). [**Rav Schachter** thought this reason is insufficient since he thought a kli made beshutfus and then transferred to a Jew *would* be חייב in tevilla.]

Convert's Obligation

- I. The first one to discuss this is the **Darkei Teshuva 120:4** who is מסופק about the shailah. Since then, the approaches in achronim regarding whether a Ger needs to tovel his keilim spread the gammit of possibilities:
 - A. **Shevet Halevi 4:92:2 + 6:245:2**, as well as **Ashrei Ha'ish 9:34** from **Rav Elyashiv** take what's probably the most expected approach: It was a goy's keilim's and now a Jew's, so they're חייב with a bracha.
 - B. **RAW Here** thinks the fact that no one mentioned this until the Darkei Teshuva implies it's פשוט they are not חייב.
 1. [Lichorah, one could have made the exact opposite argument.]
 - C. Some poskim take a middle approach:
 1. **Rav Ovadya in YD 7:8** concludes to do tevilla without a bracha on metal keilim, and can skip it for glass keilim. [**Rav Dovid Cohen pg. 203** notes this is how **Rav Schwartz** advises Geirim to act.]
 2. **Rav Schachter** paskins to tovel *everything* without a bracha. This is also the psak of **Teshuvos Vehanhagos 1:449**. Others follow this as well: **Tzitz Eliezer 8:19-20; 22:49** – No bracha (presumably on all keilim). He writes in **22:49** that me'ikar hadin it doesn't require tevilla, but one should still do so.
 - a) The standard psak is thus to tovel without a bracha, with some saying one can skip tevilla on glass.
 - D. Why wouldn't it be חייב in Tevilla?
 1. Many point to the fact that there's no hakna'ah, so it's unlike כלי מדין.
 - a) **Shevet Halevi 4:92:2, 6:245(2)** rejects this – Even though one could have said that it's not dumya diklei midyan, that sevarah isn't operative with regards to how the keilim transferred possession, but just that there was a change from reshus גוי to ישראל. As such, it's חייב *with* a bracha.
 2. Alternatively, some point to a more ... because they're "converted" along with the convert (This is the **Avnei Nezer's** sevara, quoted by his son in **Shem Mishmuel**).

- E. Many poskim also note that we never find that klal yisrael had to do tevillas keilim when they were megayer, as a ra'ayah that it's not necessary. There are two deflections of this proof:
1. **Sho'el Umeishiv** asked the same shailah, assumes it's פשוט it *would* need tevilla if the din applied, and proves from there that tevillas keilim is דרבנן.
 2. **Rav Tzvi Pesach Frank**: You can't prove anything from this – the mitzvah wasn't given at Sinai, but much later after the milchama against midyan!
- II. If a non-Jew toveled all their keilim before they converted, do they need to do so again? **Avnei Yashpeh** quotes Beis Yosef which implies it's some sort of geirus process to tovel the keilim. If so, the woman has already "converted" her keilim. However, he rejects this, since lema'aseh they still belonged to a goy; also, there was no חיוב tevilla yet.
- A. Lema'aseh, he says she should do so again *with* a bracha assuming one regularly says a bracha.]
 - B. **Rav Elyashiv (ibid.)** argued that if a Ger wants to make their lives easier, they can be makneh all their keilim to a Jew before they convert, and then take care of the Tevilla obligation beforehand (as now the keilim are certainly חייב). Even though a goy has ne'emanus, the Ger can "trust himself" that he did indeed perform Tevilla earlier.

Jewish Middle Man

- I. If a kli was sold by a non-Jew to Reuven, and then Reuven sells it to Shimon without ever doing Tevilla, Shimon is now חייב in Tevilla. This is true even if Reuven just lends it to Shimon, since lema'aseh it was already נתחייב in Reuven's hands (**SA 8**).
- II. If the Jewish middle man who sold it to you (Reuven) didn't intend to use them for כלי סעודה or was just planning on selling them, and then sells them to Shimon, **Beis Yosef** considers that it would be pattur (which would be an incredible kula), but points out לשון of **Hagahos Ashri** is משמע it would be חייב, and therefore **Rema 8** paskins he's חייב.
 - A. The basic sevara is that so long as it was once in the possession of a goy, once it enters the possession of a Jew who will use it for klei seudah, it needs Tevilla to get rid of the טומאת עכו"ם.
 - B. [Based on this, Har Tzvi YD 109 says if utensils were captured in wartime from goyim, even though they became hefker before being acquired, they still require Tevilla.]
- III. Borrowing/שאלה: What if a Jewish middle man (Reuven) *lends* to Shimon to use? If the middle man (Reuven) was using them for kli seudah, it's פשוט that he's חייב. However, if Reuven was just planning on selling it (כלי סחורה) or was using for non-klei seudah (such that no חיוב was chal), then there's a machlokes between the **Hagahos Ashri (pattur)** and **Issur Vehetter (חייב)**.
 - A. **Beis Yosef + Darkei Moshe** don't quote the Issur Vehetter, and **SA 8** paskins the kli is pattur, in line with Hagahos Ashri. The sevara seems to be that only the owner can define whether something is considered כלי סעודה, and so this kli still hasn't attained a חיוב (**CB 62** spells this out). The **Pri Chaddash** bolsters this psak, and the **Beur HaGra** also explains it, without mentioning any cholkim.
 - B. However, **Taz 10 + Shach** quote **Issur Vehetter** that you'd be חייב. He explains that even though Reuven had no requirement to tovel them, there *is* a quasi-חיוב which Reuven has the moment the items are used for food items, as evidenced by the din that Reuven can't choose to later use it for food purposes without Tevilla. As such, since the quasi-חיוב exists, once Shimon wants to use it for food purposes, he needs to tovel it (with a bracha). **Shach + Taz** are both machri'a to therefore be tovel without a bracha. [Taz points out Reuven should tell the next buyer not to be tovel with a bracha, since tevilla was already done once.]

1. **Pischei Teshuva 9** quotes **Binas Adam** who paskins lechumra like Taz/Shach for all deoraisah chiyuvim (e.g. metal), but lekula like **SA** for all derabanans or sfeikos (e.g. glass, mechupeh, etc.) when there's any small sha'as hadchak. [Note this is *leshitaso by snow above that we go lekula on chiyuvim* דרבנן.]

Klei Sechorah, Restaurants + hotels:

- I. It's clear from the above **BY** that klei sechorah aren't חייב in tevillah since they aren't yet כלי סעודה. **Taz** quotes this approvingly, and the **PT** and **Nishmas Adam** quoted there clearly worked with this assumption.
 - A. **Darkei Teshuva**: The minhag has become that people drink beer and water by the trains-tation without paying attention to whether the owner is Jewish or not. Lichorah, he says, you should be careful since they're עמי הארץ and don't tovel. He says the hetter must be that since you're only borrowing it and the owner only wants it for סחורה, there's no חיוב on you. In other words, he takes SA's psak and extends it to a restaurant owner.
- II. Keilim of a Restaurant:
 - A. **Rav Ovadya Yechaveh Da'as 4:44** is mekil that they don't need to do tevillas keilim, and the eaters can eat there. He paskins like **SA 120:8**, **Pri Chaddash + ARUH** (against **Shach + Taz**) that one doesn't need to be tovel keilim that he borrows from a Jew when the first Jew bought them for non-klei seudah. By a restaurant, they're considered כלי סחורה since they're meant for others (a big chiddush). This is the argument of the **Darkei Teshuva**. Although **Tuv Ta'am Veda'as** (when customers are Jewish) + **Levushei Mordechai** disagree, **other poskim** are mekil, and since the whole issur to eat from such keilim is only miderabanan, one can be mekil.
 1. He's so sure of his psak that he says the owner of the restaurant shouldn't say a bracha if he's tovel the keilim.
 2. **Minchas Yitzchak 1:44** similarly argues that they're only klei sechorah. [There's an issue which he addresses – but isn't so clear how he answers – that the restaurateur will often eat from the dishes they themselves prepared. Why doesn't it require Tevilla for that reason? צ"ע.]
 - B. **Minchas Shlomo 2:62:8** rejects that this is klei sechorah, as the owners are using them for food use, but just not for themselves. However, he is also mekil in the end since there's no issur when they wouldn't let you tovel the keilim (similar to Rav Heineman's hetter by impossible to tovel).
 - C. **Rav Moshe YD 3:22** similarly takes it as a davar פשוט that this is *not* Klei sechorah, and you can't eat at a hotel or restaurant from keilim that would require tevilla. See his plate hetter right below, but would still need plastic utensils and no liquids. Assumes as a דבר פשוט that it's klei seudah and also doesn't subscribe to RSZA's sevarah.
 1. **R' Dovid Cohen pg. 112** writes that the argument that they're כלי סעודה is "widely accepted" and the generally accepted custom is to require Tevilla for all equipment owned by a restaurant, hotel, or nursing home.
- III. Is a hashgacha responsible to ensure Tevillas keilim will occur? **R' Dovid Cohen ch. 11** reports it's generally accepted that they require Tevillas keilim for food-service establishments, but not at industrial factories.
 - A. Some of the reasons for this include that in the former, there's a possibility of the patrons doing an issur by eating with the keilim, the mashgiach there sometimes participates in cooking and eating, and it's therefore to protect *him*, and the different role of the hashgacha in these two types of arrangements.
 - B. **Rav Schachter in OU document**: We aren't so medakdek to make sure a food factory owner is tovel his dishes, since it doesn't impact the kashrus of his food. If they're

shomer torah, tell them to do so, but we don't follow up. However, for a restaurant, we require tevilla to give a hechsher.

Tovelling before selling or giving as a gift

- I. If I don't yet have a חיוב then, because I plan on selling the item, can I tovel it at this time already, or must it be done by the recipient?
 - A. **Rav Ovadya in YO YD 9:2, Rav Vosner (quoted in Tevilas Keilim 8 fn. 7, Minchas Yitzchak 8:70 + Minchas Shlomo 2:66:20)** all think you can't be tovel before you've sold or given the object.
 1. **RSZA** notes that in the case of buying a gift, some argue you were already koneh for the recipient so you so you can tovel his object, but if that's the case, you can't change your mind since that would be stealing! He thinks it's still a bad idea since the friend might not like it and give it to someone else. However, if you fill it with food, then you can tovel it since you'll be adding food to it yourself. **Rav Elyashiv** is quoted in Ashrei Ha'ish 9:51 as saying the same.
 2. Both **Minchas Yitzchak 8:70 + CB 66** note this is meduyak in **Taz 10** who implies if a borrower (Shimon) tovels Reuven's klei sechorah (which is a machlokes if חייב), when Reuven later sells it, he should inform the buyer not to tovel again with a bracha. It sounds like the buyer *does* still need to tovel it, in case it was really פטור, but just shouldn't say a bracha. Minchas Yitzchak notes that one could have thought the Taz just means that he shouldn't tovel with a bracha, due to bracha levatalah, but really doesn't need to tovel at all. However, the way **Chasam Sofer Os 7 (quoted in separate Chiddushei Chasam Sofer sefer)** summarizes the Taz, he specifically should tell the buyer he *has* to tovel without a bracha. The same lashon is used by the **Sho'el Umeishiv 6:51**.
 - a) [**Rav Schachter + Rav Belsky in OU document** write they can't put a hashgacha on a product that a frum consumer wouldn't think to do tevilla on.]
 - B. In contrast, **RAW Bamidbar 68:4** thinks that although it's pattur, tevilla *does* work. You can't make a bracha on that tevilla, but this might be the best option. He understands the Taz not to be saying that the buyer has to do tevilla without a bracha, but that he has to do no tevilla whatsoever. The only reason Taz emphasizes not to make a bracha is because the only halachic issue is the bracha levatalah, so that's what he emphasizes, but אה"נ no tevilla is required. He deals with none of the mekoros though. [See R' Dovid Cohen pg. 88 for this spelled out.]
 1. **R' Avraham Blumenkrantz** in a קובץ אחרות עולם pg. 34 (sent by email to me by R' Dovid Cohen) is meikil as well, although his arguments are all misvara and comparing it to certain other areas of halacha. Aviyam and I both thought it wasn't very compelling.
 2. **Chut Shani 18 + Mishneh Halachos 12:31** all say like RAW. They point to a **Avnei Nezer YD 107:2²¹** who says when a goy gives a kli as a mashkon and intends to leave it by him forever, you can be tovel at that point, since it's no longer going to be used for any issurim/non-Jewish/non-Kosher use, but there's no חיוב until he's

²¹ שו"ת אבני נזר חלק יורה דעה סימן קז
 (ב) והנראה לי בדעתם ז"ל עפ"י ש"ה הריטב"א [שם] בהא דירושלמי [ע"ז לו ע"ב] דהטבילה הוא לצאת מטומאתו של גוי וליכנס לקדושתו של ישראל. וביאר הריטב"א דהטומאה הוא משום שסופו של גוי להשתמש בו באיסור עי"ש. ועל כן כשדעת הגוי לשקועי' ושוב אין סופו של גוי להשתמש בו יועיל הטבילה שכאשר ישקענו הגוי בפועל לא יצטרך עוד להטביל. ולא יחשב טבילה ראשונה כטובל ושרץ בידו. על כן טבלו רב אשי קודם וטוב לו שלא ישתה בכוס טמא. ועיין בכנה"ג (סי' ק"כ) בהגהת הב"י (סעיף א') אבל חיוב להטביל ליכא:

actually told the Jew he's giving up his mashkon. [Aviyam noted it's a tough פשט in the Rambam, so he didn't think that was a very strong precedent.]

- a) **R' Yonah Reiss** apparently paskins this way (according to CRC book).
- b) **Rav Elyashiv** is quoted in **Ashrei Ha'ish 9:53** said one can be meikil after the fact for glass utensils, but not for metal, and should do Tevilla again without a bracha.

- II. Assuming one were to be מחמיר on this shailah that you can't tovel klei sechorah, is there any reason to say that a Matanah is different?
 - A. As noted, **Minchas Shlomo** assumes they're the same, and that even if they weren't, he doesn't know that you could tovel it since the recipient might return them. Similarly, **Mekor Chaim 14** (of R' Chaim Seglovitz, published in 1898) says it's the same, as does the **Kovetz Mibeis Leivi pg. 148**.
 - B. There are those who argue that matanah is different though, including **R' Shmuel Kaminetsky in Kovetz Halachos Purim 15:41**, **Rav Karp (Mishmeres Habayis 3:3) + R' M. S. Klein**. The first two argue that it's a kli that *is* yours, and you intend it to use for your own purposes (by giving it) rather than selling it, so shouldn't be considered כלי סחורה. Alternatively, the fact that you *could* use it already makes it yours. (This is still hard to understand, as that's not your current intent).
 - 1. These arguments didn't seem compelling to us.
 - 2. **Vaya'an Dovid 6:114** has an interesting idea that parents can always tovel first before giving to their kids, since they expect to use those keilim when they reside at their kids' homes. It seems he understands the idea of כלי סחורה is that there's no חיוב on me because I don't intend to ever use them, but if I did (e.g., I was selling to a close neighbor), I could indeed tovel them already.
 - C. Lema'aseh, it seems that if this ever came up, it's not פשוט the nosein can tovel them, and the recipient should certainly tovel metal again, although there's room to be meikil by glass. If the nosein wants to find a way to tovel, the two possible eitzos are a) To use it once yourself beforehand (**Teshuvos Vehanhagos 1:467**), or b) be makneh to the mekabel through someone else, and then you can be tovel with a bracha (**Mekor Chaim + Teshuvos Vehanhagos ibid.**)

The Candy Dish Problem

- I. What about a glass candy dish that's sold by a Jewish store?
 - A. As noted, it seems one should be מחמיר that one can't be tovel klei sechorah. There's an additional issue that it's not clear the buyer can even use the dish when they get it the first time, as many of the sevaros – like kli being battel to the food – certainly aren't true here. One could still be meikil due to passive usage, but then the kli still can't be used a second time.
 - 1. One senif lehakel is if it was bought from a corporation, but we don't generally rely on this being a matir. [**Tevillas Keilim pg. 64** quotes Rav Moshe as thinking it's like a goy, but **RSZA** thought it was neither like a Jew or goy. See separate section on this.]
 - B. Some eitzos:
 - 1. Put a sticker on which says it needs Tevilla.
 - 2. Can you have someone be koneh it on behalf of the customer and then be tovel it for them? It relies on breirah. Maybe that works for glass though since that's דרבנן. On top of that, Rav Elyashiv (above) was meikil that the storeowner's Tevilla is effective בדיעבד for glass, so this seems like a reasonable eitzah.

Craftsmen/Uman Making and Fixing Metal Utensils

- I. When non-Jewish Uman uses only Jew's materials:

- A. Tur** (as understood by **BY + Shach**): Even if he made a brand new kli from your silver, it's pattur since there's no גוי שם. This is in line with **Tosfos 75b** who says if he's mesaken a kli, even למ"ד אומן קונה בשבח כלי, it's pattur since there's no Shem goy.
- B. Tur beshem Ritzba** (as understood by **BY + Shach**): Not only if the goy uses all your material to make it will you be חייב, but even if he just adds a piece of silver to your kli in a place that's מעמיד it, you're חייב. This is true only if the kli wasn't functional beforehand.
- 1. BY + Shach** explain him to mean "הכל הולך אחר המעמיד" is a reference to the goy himself (that the kli was "made" by a goy) and not to the material, as the material really belonged to a yid. This is different than the classic הלך אחר המעמיד, which would be relevant to *material* being owned by the goy.
- C. SA** paskins like Tur that no tevilla is required, since אין שמו עליו. **Rema** says to be tovel without a bracha to be choshesh for shitas Ritzba. What's the be'ur?
- 1. Pri Chaddash, Gra 25 + others** explain the Ritzba required Tevilla due to אומן קונה הכל הולך אחר המעמיד, בשבח כלי, and nothing to do with the real din of המעמיד.
- a) Pri Chaddash** adds that since the **SA** paskins בשבח כלי, he ignores the Ritzba. Similarly, **Gra** notes that **Rif + others** think we paskin אין אומן קונה בשבח כלי. He points to SA elsewhere (in **CM 306:2 + EH 28:15**) who paskins בשבח כלי, and the SA's psak here is thus consistent with his general opinion.
- b)** The difficulty with this be'ur is that the Tur quotes Ritzba as holding this way because "דקיי"ל הכל הולך אחר המעמיד." This is a very misleading way of saying אומן קונה בשבח כלי if that's what the Ritzba meant! Furthermore, as the **Gra 28 himself** notes, the **Rema** doesn't seem to have understood this way, since he paskins (in the same seif) that if a Jewish silversmith made a kli for a goy with the goy's materials, and then bought it from him (before giving it to him), he's tovel without a bracha. It seems he's being מחמיר not to make a bracha due to the Ritzba, but if the be'ur is because of אומן קונה בשבח כלי, this doesn't make any sense, as the Uman isn't koneh the *whole* kli, but just some of it, so you should certainly still need Tevilla with a bracha!
- 2.** We entertained the be'ur is that הכל הולך אחר המעמיד means the gavra was ma'amid (like BY said), and then whoever made the utensil might define the status of the entire utensil no matter what. This would explain why Rema thinks the Ritzba would say this doesn't need tevilla when a Jew made the kli.
- a)** If this second bi'ur is correct, it would mean that any time you have a Jewish company which utilizes non-Jewish workers to make the utensils, you'll need to do Tevilla without a bracha.
- b)** The major difficulty with this though is that we never find a din of הכל הולך אחר המעמיד with respect to a person's actions, but with respect to the material added, so this is a little shv'err.
- 3.** The **Taz 12** has his own פשט in the Ritzba that he doesn't care about the שם בעלים, but is concerned about the din of מעמיד being an issue. However, he thinks that it's a problem even if all the silver came from the Jew because he holds אומן קונה בשבח כלי, so it's as if the extra silver came from the goy himself.
- a)** As such, if his contribution is necessary for the kli to exist, then one is חייב in Tevilla, since it's as if all that silver is (partially) his due to אומן קונה בשבח כלי. In fact, even if he just filled in a hole near the base, Ritzba would be מחייב since he thinks הכל הולך אחר המעמיד. The **Rema** then quotes his case when he gave all the kesef, since there we'll certainly be מחייב due to אומן קונה בשבח כלי.

- b) The Mordechai who requires the material be from the Goy is because he doesn't hold of *אומן קונה בשבח כלי*, but *does* hold that *הכל הולך אחר המעמיד*. Taz then notes that when some of the kesef was added by the goy, it can't be you need to be tovel with a bracha, since you don't know that his kesef was the *מעמיד*, and therefore thinks to be tovel in that case *without* a bracha, since most of the kli is a yid's.
- II. When the uman adds his own material to fix the item:
- A. **Mordechai beshem Ri**: Depends on whether it was functional beforehand. If not, it requires tevilla, since the goy was ma'amid it. If it was already functional, it doesn't need tevilla.
1. **Rema** paskins this, and **Shach 22** spells out this would be with a bracha. However, **Rema** simply says that *any* time the goy adds some material, it will be *חייב*. It sounds like it doesn't matter where the extra material is. **Gra** bolsters this, and notes that Tosfos has a *הו"א* it will be *חייב* due to *אומן קונה בשבח כלי*, despite that this is just a partial ownership of the kli; so too here, where the kli is now partially the goy's, it requires Tevilla with a bracha.
 2. In contrast, **Taz** *leshitaso* learns that you'll only do it without a bracha here, since maybe the material he added in wasn't the part that's ma'amid the kli. If we know the extra material was somewhere that's not ma'amid the kli, it wouldn't require Tevilla at all, and if he adds his own material where it was a ma'amad, he'd agree it requires a bracha.
- B. Lema'aseh, The *haskamas haposkim* is that when something is *made* by a goy (not just fixed) and he added a bit of the metal, you tovel with a bracha, since he certainly had a *shutfus* in it (**Shach 22, Pri Chaddash 31, Gra 28, Chasam Sofer 9, Chochmas Adam 73:4, ARUH 56**; all unlike the **Taz** who thinks no Bracha if there's a *Rov* of Jew's metal.)
- C. However, any time a kli was broken – such that it no longer has *Toras Kli* – and you *send* it to a goy to fix it: If he doesn't add metal, it's *פשוט* to do Tevilla without a bracha, per the *Ritzba*. Even if he adds metal, **many poskim** say not to make a bracha, since it's not clear we follow the ma'amid which is just *המאכל את מחזיק* when the kli itself would stay together anyway. See **Pri Chaddash 29, PMG OC 552:AA:13 + Darkei Teshuva 54**, as well as the separate section on Ma'amad.
1. If the Shem kli wasn't ruined, even if a goy fixes it by adding his own metal, it doesn't require Tevilla at all (**Taz 12, Shach 21, Chochmas Adam 73:4 + ARUH 57** all seem to assume this way, per the *Ritzba* and not the *Maharam*).
- III. In sum: When one sends a kli (e.g. a kiddush cup) to be fixed by a non-Jew, there are three permutations:
- A. If the kli was still fully functional, even if he added additional metal, it doesn't require Tevilla at all.
 - B. If the kli was not functional, only if the kli itself had literally fallen apart *and* the goy had to add some of his own material would it require Tevilla with a bracha.
 - C. If the kli was not functional (e.g. there was a hole in it), but the kli itself wasn't falling apart, one will tovel without a bracha, regardless of whether the goy added metal.
- IV. **Rema**: If a Jew makes a kli for a goy using his materials and buys it back, he should tovel it without a bracha. See above for **Gra's** difficulty with this halacha, and the likely *beiur* in how **Rema** understood the impact of an Uman.
- V. If a Jew bought all the metal from a goy and turned it into a kli for himself, **Rema** spells out this will be *פטור*. He then has a line that's difficult to understand that if "שנתנן מקצת מתכות" *משלו, א"צ טבילה*. What's this mean?
- A. **Shach** says it either means A) the goy gave some of the materials, and the goy therefore is a *shutaf* in the final product. It doesn't need Tevilla only because it's still a kli *shel shutfus*. This is what **Levush** thinks. Or B) If a Jew made a kli for a guy and then

bought it for himself, although we regularly say it needs Tevilla without a bracha, when the yid also gave some of the original materials, that suffices to say you don't need to do Tevilla at all, since the combination of Jewish craftsmanship and it being partially his materials means it's פטור. Shach prefers this פשט.

1. **Gra 28 end + Pri Chaddash** agree this is the פשט, but reject it, as there's still partial non-Jewish ownership before you bought it, and so it requires Tevilla. **Taz 13** also is so bothered by this Rema that he changes the גירסא, effectively rejecting the Rema.

Factories Owned By Jews with Non-Jewish Workers

- I. This leads to a big question about Jewish-owned companies which have non-Jewish workers. In fact, this is generally used as a method of avoiding having to tovel keilim (e.g. urns and hotplates), on the assumption that they are Jewish-owned the entire time. Does this really work?
 - A. **Pischei Teshuva 12** beshem **Chochmas Adam 73:4**: The machlokes Rishonim is fundamentally whether we follow the uman or the owner of the materials. As such, when a Jew owns a company where goyim work for you to make keilim, or vice versa, we can rely on mekillim if we're dealing with glass, since it's a safek on a derabanan. By metal keilim though, one would have to tovel with a bracha.
 1. According to this, every time you buy a kli that was "made by Jews (i.e. the company is owned by Jews)" but really made by non-Jews, you should still have to do Tevilla without a bracha!
 - B. **ARUH 120:58** rejects this – when a factory creates a kli, אומן קונה בשבח כלי, doesn't make it belong to the worker who makes it, but to the factory, as he's essentially working as their po'el. [It's not clear if he just means that they're actually פועלים, or that there's some special reason to say a factory worker doesn't count as an Uman.] Even for metal keilim, it doesn't require tevilla if Jewish-owned factory. If non-Jewish owned factory, it's completely non-Jewish and requires Tevilla with a bracha.
 1. A pikpuk on this (raised by R' Dovid Cohen pg. 149) is that in the contemporary setting, the factory is always still owned by goyim, and it's just that the materials are owned by a Jew. It's possible that we'd say the poalim are the long arm of the factory such that we'd still say אומן קונה בשבח כלי with respect to the *factory* owner, even if the individual po'el won't be the Uman.
 - C. **Rav Moshe OC 3:4 (in 1971)** also notes that if people are paid as po'alim, there's no din of אומן קונה בשבח כלי, as it only applies to a kablani (see **BM 112a**). He adds another reason that the workers there aren't doing anything significant, and rather the עיקר הכלי is made by machines. He argues that alone is reason we wouldn't apply אומן קונה בשבח כלי.
 - D. **Chazon Ish YD 44:1** thinks אומן קונה בשבח כלי isn't relevant in any country where the דינא דמלכותא is that an Uman gets no ownership. He argues that since דיניהם they aren't koneh, if they were to come to beis din, we'd say they weren't koneh and it all belongs to the Jew (since we'd follow דיניהם). As such, this din is practically moot nowadays, as most governments don't have such a din.
- II. In sum, the simple פשט seems to be that if the workers are po'alim, there's ample reason to be meikil, as אומן קונה בשבח כלי doesn't apply (barring the pikpuk R' Cohen raises above). However, if they're working under a kablani arrangement, the פשוט פשט is this would require Tevilla without a bracha. In fact, **Ashrei Haish 9:38** is מחמיר whenever it's a kablani arrangement.
 - A. In terms of the metzius, unfortunately, factory workers in China are almost always paid as kablanim, and not as po'alim (although it was indeed the reverse in Rav Moshe's time that they'd get paid a fixed monthly wage. See here that they're paid a certain number of cents per unit. A.I. summarized the research that in the hardware and

cookware industry—which includes making stainless steel utensils, pots, and pans—factories predominantly use a strict piece-rate system (paid per item).

- B. If so, the tzedadim lehakel are a) Rav Moshe that the machines are really doing the work, b) the Chazon Ish that אומן קונה בשבח כלי is irrelevant nowadays, and c) The ARUH potentially understanding that אומן קונה בשבח כלי doesn't apply to workers in a factory, although it's unclear what that sevara is.
- C. There are also other issues which are just not simple to ensure: We have to perform a valid Kinyan on the items so that the Jew acquires them. Lema'aseh, a Jew needs to do both Ma'os and mEshicha when doing a Kinyan with a goy, but meshicha isn't שייד unless you actually send a Mashgiach there to do meshicha on the materials (e.g. with a forklift).

Given to goy as mashkon and borrowed back:

- I. **Tosfos, paskined by SA 11:** Although a goy's mashkon in the hands of a Jew is potentially חייב in Tevilla, if a Jew gives a kli to a goy as a mashkon, when he's padeh it back, it's pshitah that you're פטור from Tevilla, as "לענין הא, ודאי פשיטא דלא הוי כזביני".
 - A. Why is this different from a mashkon in Jew's hand?
 - 1. **Prisha, Taz, + Karnei Re'em:** Halachically, a mashkon in the hands of a Jew is a stronger ba'alus than one in the hands of a goy.
 - a) **Rav Moshe YD 3:21** rejects this, since only R' Meir is mechalek this way. Although the Maggid Mishnah Chametz 4:5 thinks Rambam paskins that way, the **Rosh + SA 451** paskin like the Rabbanan, and still quote Tosfos' lashon verbatim, so that answer won't suffice to explain everything.
 - 2. **Maharsha:** it *looks like* it belongs to the Jew when he uses the mashkon, unlike when he gets it back from the goy that it doesn't look like it was ever the goy's.
 - a) **Rav Moshe YD 3:21** notes that he seems to understand Tosfos is saying the חייב Tevilla is only דרבנן in a case of Mashkon. [MA 441:6 sounds this way as well.] However, this is dochak, since Tosfos starts by saying that "since it's לא איפשיטא, one has to tovel without a bracha." It seems Tosfos takes it as a Davar פשוט that this is a shailah on a deoraisah. Although it could be he means this way because of דשיל"מ and not ספק דאור', Rav Moshe considered this a dochak.
 - 3. Rather, **Rav Moshe 3:21** explains the chiluk is based on the **Gra 30**, who writes that for the purposes of Tevillas keilim, we learn from כלי מדין that the mitzvah only applies when a) it was actually owned by goyim and b) it then becomes חלוט לו to a Yisrael, that it appears like this is the beginning of his permanent usage of the item. The reason for the distinction is because only real ownership can impact the "tum'as goyim" and not when the yid retains ownership; yet, when the yid begins to permanently use it, he needs to tovel it beforehand, even if it's not halachically his.
 - a) When you have a mashkon that's לשקועיה, דעתיה, although there's no Kinyan, it seems like the beginning of his permanent usage. As such, in SA 9, that will mean the yid has to do Tevilla with a bracha when he has the mashkon, and yet Shach 22 + Taz 14 say in the reverse case where the goy had the mashkon, that still won't create a חייב, since ledina, they aren't koneh the mashkon even then.
 - B. **Taz 14 + Shach 25** both quote **Maharshah** that if you originally intended to give it to the goy permanently, then it will be חייב in tevilla with a bracha, as that will be like a sale.
 - 1. The **Chochmas Adam** explains it's because now it's like a sale, since your original intent was to leave it there.
 - 2. **CB** notes that the **Pri Chaddash** and **ARUH** reject this, since why should your original intent impact whether the tum'as goy is imparted, if that certainly doesn't impact what the actual Kinyan was?

- a) **Rav Moshe 3:21** argues the case must be where you *informed* the goy that you don't intend to get it back, as then it really *is* a sale, but with a tenai that you can buy it back, and not really a mashkon.

If keilim get mixed up, do I need to tovel all of them?

I. **Yabia Omer 2:9:3:**

- A. Starting point: one would think it's battel berov.
 - B. Quotes **Rav Chaim Palag'i** in **Ruach Chayim 122:1** (+ **Teshuras Shai 2:104**) as thinking one requires tevilla (without a bracha) since it's a safek on a Davar sheyesh lo matirin and there's no hefsek.
 - C. **Tzlach Pesachim 9b** though would say this is *not* a דשיל"מ; only applies to food where you can only be neheneh once; here, you can be neheneh many times, so you're losing out. **Levushei Mordechai YD 82** paskins lekula on our question based on this Tzlach, and other Acharonim seem to accept him even in cases of ta'aroves [see inside? Not sure what I meant].
 1. **Rav Ovadya** points out it's a machlokes whether this **Tzlach** is right, with rishonim and acharonim on both sides. **Shach** assumes lechumrah not like him in a certain case (in Siman 102; see **Megillas Sefer there** that this isn't פשוט), but **Shu"t Amudei Eish** says that even Tzlach may just be talking about cases of safek (e.g. *I don't know if I bought a certain kli from a goy or a Jew*); but in cases of bittul/ta'aroves, even Tzlach would agree that it is considered a דשיל"מ. This is since there's a different reason to prevent bittul that היתר בהיתר לא בטיל, per **Ran Nedarim 52**. If so, it *should* require tevilla.
 - a) As such, since it's a machlokes if this counts as a דשיל"מ, since it's איתחזיק איסורא, one should do tevilla on all the keilim, but *without* a bracha.
 2. **Rav Moshe in YD 2:40** clearly assumed it's a דשיל"מ though, and was only meikil when it's a טירחא גדולה להטבילם.
 - D. Ike in **Halachipedia** points out that if it would cost a lot of money to do tevilla, then all agree it's not a דשיל"מ based on **SA 102:3**. Furthermore, if it would be a great tircha (like going to other side of the Heights without a car), **Badei Hashulchan 102:33** quotes **Pri Chadash** and **Chayei Adam** as saying it's not a דשיל"מ.
- II. **RSZA 2:68** writes that if you have a safek on a *single* kli whose חיוב tevilla is only miderabanan, you can definitely go lekula and we don't say it's a דשיל"מ. The reason for this is that the safek is be'etzem whether there's a חיוב, and not some "outside" question. See inside whether this applies to a case of mixed up keilim. According to this, definitely wouldn't need to tovel glass or דרבנן keilim; just metal keilim would need since they're deoraisahs.

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טבילת כלים בעיר שהמקוה סגורה

טבילת כלים. מי שמפחד ללכת למקוה ולהטביל כליו שקנה זה עתה להשתמש בו לפסח, ע"י שו"ע יו"ד סוף סי' ק"כ סט"ז שימננו לנכרי במתנה, דבשעה"ד שא"א לקיים המצוה, יש להחזיר הערמה. [אשר בדרך כלל אין להחזיר הערמה להפקיע עצמו מלקיים מצוה, ע"י מש"כ צ"ב בעקצי האון רס"י ט"ו]. ובספר ויהי צנסוע הארון כתב הר"ר אהרן הכהן אדלר נ"י בשם רבנו ז"ל שהקיל גם במפקיר הכלי אע"ג שכבר זכה בו. [ויש בזה מח' בין הגדולים שמלפני מאה שנה, ע"י צ"ב טבילת כלים]. ומסתברא שמן הנכון להפקיר בפני שלשה, ושנים מהם יהיו כשרים לעדות וכו', ומסתברא דסגי בשומעים שלשה דרך האינטרנט ולא בעינן שהיו בפניו ממש.

בשנים בחקונם יעשו הגדולים ליחיד שלא למכור את כלי החמץ, כי אין איסור ב"י על בליעות כלים, ואם ימכרו יטעו לטובלם עוה"פ כשחוזר הרב לקנות מהנכרי. ושנה זו, אם ירלו, אפשר לבקש מהרב שימכור את הכלים החדשים לנכרי יחד עם החמץ, כדי שלא יהיו זריזים טבילה, ומן הנכון שלאחר הי"ט, כשחוזר הרב לקנות בחזרה את החמץ מן הנכרי, שלא יחזור לקנות את הכלים החדשים כי אז יתחייבו הבעלים לטובלם מיד, וקיימת אפשרות שאף אז לא יהיה ביכולתם.

Aside from the mitzvah of performing Tevilas Keilim, there is a prohibition to use metal and glass dishes and utensils prior to their immersion in a Mikvah. In these days where the Coronavirus has closed many mikvaos and it is not possible to use the regular community keilim mikvah, a reasonable effort should be made to find a natural body of water (ocean, pond, river etc) where utensils can be immersed. Please note that when using a natural body of water, care must be taken to immerse the item in its entirety below the water.

If it would be overly strenuous to travel and immerse the utensils in such a body of water, one should try and use disposable utensils whenever possible relying on the opinion of Rav Moshe Feinstein that disposable aluminum utensils do not require tevilas keilim.

If these options are not available, the Shulchan Aruch Y.D. 120:16 permits one to transfer ownership of the vessels to a non-Jew in order to relieve the obligation of tevilas keilim and the prohibition of using the utensils prior to immersion. However, this is not necessarily a reasonable option at this time when people are committed to maintaining standards of social distancing.

Therefore, since we are facing a unique situation of great need and limited options, it is permitted to use utensils that have not been immersed after renouncing ownership of the utensils.

When declaring the utensils as ownerless one must:

- Have full intent that they are truly declaring the items as truly ownerless and that if someone were to take the item before the original owner were to reclaim them they would be willing to let the item go.
- The declaration must be to 3 people who live in your neighborhood, so that one of them has the ability to potentially acquire the item and two people could be witnesses to say that the other person did not steal the item. 2 of the people should be valid Halachic witnesses.
- This doesn't have to be done in front of 3 people. It can be declared over email or social media to 3 people.

After declaring that the items are ownerless you should move the items out of your physical house or apartment and let them remain outside for a few minutes where someone could potentially come and take them.

Because the above approach is due to the difficult and pressing circumstances that we are currently facing, once a Mivkah, or an opportunity for immersing the utensils, becomes available the individual must take the items to be immersed without a blessing before using them again.